

# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
OF THE UNITED STATES  
1934

VOLUME 10      NUMBER 13

Washington, Thursday, January 18, 1945

## The President

### PROCLAMATION 2635

#### ENLARGING THE PLUMAS NATIONAL FOREST— CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the acts of February 20, 1925, 43 Stat. 952, June 22, 1933, 52 Stat. 838, and June 5, 1942, 56 Stat. 311 (U.S.C., Sup. III, title 16, sec. 482i) authorize the addition to the Plumas National Forest of the public lands within certain areas in the State of California; and

WHEREAS the hereinafter-described public lands within such areas have been found by the Secretaries of Agriculture and of the Interior to be chiefly valuable for national-forest purposes, and it appears that the addition of such lands to the Plumas National Forest would be in the public interest:

NOW THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, under and by virtue of the authority vested in me by the aforesaid acts of February 20, 1925, June 22, 1933, and June 5, 1942, do proclaim that the following-described public lands are hereby added to and reserved as a part of the Plumas National Forest:

#### MOUNT CASLO MERIDIAN

T. 20 N., R. 6 E.  
sec. 10, N $\frac{1}{2}$ .  
sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .  
T. 18 N., R. 7 E.,  
sec. 10, lots 11, 12, 14, and 15;  
sec. 26, SE $\frac{1}{4}$ .  
T. 19 N., R. 7 E.,  
sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
sec. 30, lots 3 and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 31, lots 5, 7, and 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 21 N., R. 7 $\frac{1}{2}$  E.  
T. 24 N., R. 9 E.,  
sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 22 N., R. 14 E.,  
sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
sec. 28, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ .

The areas described aggregate 2,634.63 acres.

Executive Orders No. 4203 of April 14, 1925, and No. 6910 of November 26, 1934, as amended, withdrawing certain public lands for classification, are hereby revoked so far as they affect any of the above-described lands.

The reservation made by this proclamation shall, as to any land which is at this date embraced in any valid claim or reserved for any purpose other than classification, be subject to, and shall not interfere with or defeat, legal rights under such claim, or prevent the use for such public purpose of lands so reserved, so long as such claim is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13th day of January in the year of our Lord nineteen hundred and [SEAL] forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

E. R. STETTINUS, Jr.,  
Secretary of State.

[F. R. Doc. 45-1043; Filed, Jan. 10, 1945;  
4:21 p. m.]

### PROCLAMATION 2636

#### ENLARGING THE ELDERADO NATIONAL FOREST—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the act of February 20, 1925, 43 Stat. 952, authorizes the addition to the Eldorado National Forest of

(Continued on next page)

## CONTENTS

### THE PRESIDENT

PROCLAMATIONS:	Page
Enlargement of specified national forests:	
Eldorado, Calif. ....	693
Plumas, Calif. ....	693
EXECUTIVE ORDER:	
Field positions subject to Classification Act of 1923, coordination of allocations..	694
REGULATIONS AND NOTICES	
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Goshler, Richard G. (Corr.)..	711
Kawahita, Haruo .....	711
San Cristobal Apartments, Inc. ....	711
Van Kleffens, Eelco Nicolaas..	710
CENSUS BUREAU:	
Foreign trade statistics, corrections, amendments or cancellations of declarations..	697
CIVIL SERVICE COMMISSION:	
War Service regulations; restoration of persons having reemployment rights.....	635
FEDERAL POWER COMMISSION:	
Allegany Gas Co., and North Penn Gas Co., hearing.....	703
FEDERAL TRADE COMMISSION:	
Hearings, etc..	
Canute Co. ....	703
Isabelle Beautetics Co., and R. H. Tillson Co. ....	703
Ovelmo Co. ....	703
Stewart-Warner Corp. ....	703
INTERNAL REVENUE BUREAU:	
Certain acts postponed by reason of war, time for performing .....	697
INTERSTATE COMMERCE COMMISSION:	
Reconignment permits:	
Apples:	
Kansas City, Mo. ....	710
Minneapolis, Minn. ....	709
Potatoes, Shreveport, La. ....	710
Spinach, Philadelphia, Pa. ....	709
Tomatoes, St. Louis, Mo. ....	710
Vegetables, Philadelphia, Pa. ....	710

(Continued on next page)

# FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

## NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

## CONTENTS—Continued

	Page
<b>LABOR DEPARTMENT:</b>	
Building and construction trades, determination of overtime, Sunday, and holiday pay.....	697
<b>OFFICE OF DEFENSE TRANSPORTATION:</b>	
Motor equipment conservation; fluid-food transports (ODT 48).....	706
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Adjustments and pricing orders:	
Cullman Wheel Co.....	711
General Bedding Corp.....	712
So-Lo Works, Inc.....	712
Clay sewer pipe, vitrified, and allied products (RMFR 206, Am. 10, Corr.).....	703
Coal, bituminous (MPR 120, Am. 125).....	701
Cotton products (MPR 118, Am. 28).....	705
Sales at wholesale (Rev. SR 14, Am. 205).....	705
Glassine and greaseproof papers (MPR 567, Am. 1).....	701

## CONTENTS—Continued

<b>OFFICE OF PRICE ADMINISTRATION—Continued:</b>	Page
Grains, general pricing provisions (FPR 2, Am. 1 and 2) (2 documents).....	702, 703
Hogs, dressed, and wholesale pork cuts (RMFR 148, Am. 19).....	703
Regional and district office orders; community ceiling prices, list of orders filed (2 documents).....	712, 713
Small firearms, new, and firearm parts (MPR 254, Am. 3).....	704
<b>SECURITIES AND EXCHANGE COMMISSION:</b>	
Cities Service Power & Light Co., hearing.....	714
<b>WAR FOOD ADMINISTRATION:</b>	
Apples, distribution orders (WFO 121).....	695
Cotton standards, application for licenses to classify and sample (Corr.).....	695
Grapefruit juice and grapefruit juice and orange juice blended, canned; restrictions (WFO 122).....	696
<b>WAR MANPOWER COMMISSION:</b>	
Employment stabilization program:	
Arkansas area (3 documents).....	714, 716, 717
Region IX.....	717
St. Louis, Mo., area (3 documents).....	720, 722, 723
<b>WAR PRODUCTION BOARD:</b>	
Cans (M-81, Am. 1).....	700
Commercial vehicles, new and used; rationing (Directive 36).....	698
Electric fans, domestic and commercial (L-176).....	700
Fluid-food tank trucks, trailers, and tractors, restrictions on sale and transfer (L-1-J, Rev.).....	701
Irons, electric (L-65-a).....	699
Steel distributors (M-21-b-3, Corr.).....	701
Suspension orders, etc..	
Division Avenue Bus Line.....	698
Sheets Elevator Co.....	723
Traunor Brothers, Inc.....	723
Vanlandingham, Walter, and Walter Vanlandingham, Inc.....	724
<b>WAR SHIPPING ADMINISTRATION:</b>	
"Tuna Clipper" vessel ownership determination.....	724

the public lands within certain areas in the State of California; and

WHEREAS the hereinafter-described public lands within such areas have been found by the Secretaries of Agriculture and of the Interior to be chiefly valuable for national-forest purposes, and it appears that the addition of such lands to the Eldorado National Forest would be in the public interest:

NOW THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, under and by virtue of the authority vested in me by the aforesaid act of February 20, 1925, do proclaim that, subject to all valid claims, the following-described public lands are hereby added to and reserved as a part of the Eldorado National Forest:

### MOUNT DIABLO MERIDIAN

T. 10 N., R. 12 E.,  
sec. 22, NW¼NW¼,  
sec. 35, W½NE¼ and NW¼SE¼.  
T. 8 N., R. 13 E.,  
sec. 3, lots 2 and 3, and S½NE¼.  
T. 9 N., R. 13 E.,  
sec. 4, lot 8;  
sec. 6, lot 7;  
sec. 7, SE¼SW¼, SW¼SE¼, and E½SE¼,  
sec. 9, lots 1 to 6, inclusive, lot 8, SW¼NW¼, and W½SW¼,  
sec. 18, W½NE¼, NE¼NW¼, and NW¼SE¼,  
sec. 21, lots 1 and 4, and NE¼SW¼,  
sec. 29, that portion of lot 5 not embraced in patented mining claims, and lot 7;  
sec. 30, lot 2 and SE¼NW¼.  
T. 10 N., R. 13 E.,  
sec. 34, lot 2.  
T. 12 N., R. 18 E.,  
sec. 5, lot 4;  
sec. 6, lots 9, 10, and 11, and NE¼SW¼.  
The areas described aggregate 1,323.31 acres.

Executive Orders No. 4203 of April 14, 1925, and No. 6910 of November 26, 1934, as amended, withdrawing certain public lands for classification, are hereby revoked so far as they affect any of the above-described lands.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13th day of January, in the year of our Lord nineteen hundred [SEAL] and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

E. R. STETTINUS, Jr.,  
Secretary of State.

[F. R. Doc. 45-1014, Filed, Jan. 10, 1945; 4:21 p. m.]

## EXECUTIVE ORDER 9512

PROVIDING FOR COORDINATION OF THE ALLOCATIONS OF FIELD POSITIONS SUBJECT TO THE CLASSIFICATION ACT OF 1923, AS AMENDED

By virtue of the authority vested in me as President of the United States by the Constitution and Statutes, including particularly Title I of the First War Powers Act, 1941, and Section 1753 of the Revised Statutes, and in order to coordinate governmental agencies with respect to the allocation of field positions subject to the Classification Act of 1923, as amended, and establish consistency in the fixing of entrance salaries and thus facilitate effective recruiting and selec-

tion of personnel, it is hereby ordered as follows:

1. The Civil Service Commission shall prepare and publish standards for the allocation of field positions under the Classification Act of 1923, as amended, and shall coordinate or combine such standards with allocation standards prescribed by the Commission for the departmental service under its existing statutory authority.

2. In allocating such field positions the heads of all departments and other agencies shall comply with the standards so prepared and published.

3. The Commission shall ascertain by investigation the degree to which the allocations of field positions made by each department and other agency comply with standards published pursuant to this order, and whenever the Commission finds noncompliance by any department or other agency, it may report that fact to the President through the Liaison Officer for Personnel Management.

4. The Commission shall issue such regulations as it may deem necessary to effectuate the purposes of this order.

5. Clause (2) of paragraph (b) of section 3 of Executive Order No. 9330, of April 16, 1943, is hereby revoked.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
January 16, 1945.

[F. R. Doc. 45-1107; Filed, Jan. 17, 1945;  
12:06 p. m.]

## Regulations

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

#### PART 18—WAR SERVICE REGULATIONS

#### RESTORATION OF PERSONS HAVING REEMPLOYMENT RIGHTS

In § 18.13 paragraphs (a) and (c) are amended and paragraph (d) is added, as follows:

§ 18.13 *Restoration of persons having reemployment rights*—(a) *Persons discharged from the military or naval service.* Any civilian employee of the executive branch of the Government who has left or leaves his position (other than a temporary position) in order to perform active military or naval service for the United States, and (1) is honorably separated from active military or naval service, and (2) is still qualified to perform the duties of his position and (3) makes application for reemployment in such position within ninety days after his separation from active military or naval service, or within ninety days after discharge from hospitalization which continues after separation from active military or naval duty for a period of not

more than one year, shall be entitled to the following reemployment benefits:

(c) *Establishing proof of separation from military or naval service.* When a person entitled to reemployment in the Government service after active military or naval service is restored to duty the agency concerned shall submit proof of separation from such service and Preference Form 14. In departmental cases the proof and Preference Form 14 should be forwarded to the Preference Sub-Unit, Central Office U. S. Civil Service Commission, Washington 25, D. C., and in field cases to the appropriate field office of the Commission.

(d) *Transfer of functions.* Whenever a function or activity is transferred from one agency to another agency or agencies, arrangements shall be made by the agencies involved and, when necessary, by the Civil Service Commission and the Bureau of the Budget, for the receiving agency or agencies to assume the reemployment obligations to those former employees who left such function or activity in order to enter the armed forces. The agency to which the reemployment obligation is transferred, together with the function, should notify the employee either through a copy of a regular journal or through a special letter that the employee's reemployment rights pertain to such agency.

Similar steps shall be taken by the head of an agency in connection with the transfer of functions or activities within his agency whenever this will assist the agency and the veteran in identifying the office having primary responsibility within the agency for his reemployment.

(Pub. Law 473, 78th Cong., E.O. 9063 as amended by E.O. 9378, 8 F.R. 13037)

NOTE: Amendment of paragraph (a) approved January 2, 1945. Amendment of paragraph (c) and addition of paragraph (d) to this section approved January 1, 1945.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,  
President.

[F. R. Doc. 45-1055; Filed, Jan. 17, 1945;  
9:36 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter I—War Food Administration (Standards, Inspections, Marketing Practice)

#### Subchapter A—Commodity Standards and Standard Container Regulations

#### PART 28—COTTON STANDARDS

#### APPLICATION FOR LICENSES TO CLASSIFY AND SAMPLE COTTON

#### Correction

In Federal Register Document 45-268, appearing in the issue for Friday, January 5, 1945, page 181, the title of Grover B. Hill should read "First Assistant War Food Administrator."

### Chapter XI—War Food Administration (Distribution Orders)

[WFO 121]

#### PART 1405—FRUITS AND VEGETABLES

#### APPLES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of apples for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.50 *Restrictions with respect to apples*—(a) *Definitions.* (1) "Apples" means whole, fresh apples of any or all strains of the Winesap, Newtown, or Delicious (except Golden Delicious) varieties grown in Washington or Oregon and located in either of those two states.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Director" means the Director of Marketing Services, War Food Administration.

(4) "Governmental agency" means (i) the War Food Administration (including, but not limited to, any corporate agency thereof); (ii) the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations); (iii) the War Shipping Administration; and (iv) any other agency or instrumentality of the United States, or any other person, designated by the Director.

(b) *Restrictions.* (1) No person shall ship, sell, or deliver any apples except to a governmental agency, and such apples shipped, sold, or delivered to a governmental agency shall be packed and graded in a manner acceptable to such governmental agency. This prohibition shall not, however, be applicable to any shipment, sale, or delivery of a lot of 5 bushels of apples or less.

(2) The Director may, from time to time, if he determines that such will tend to effectuate the purposes of this order, issue a written release for any lot of apples; and thereupon the apples thus released by the Director may be shipped, sold, or delivered subject only to the conditions, if any, specified in the release issued pursuant to the provisions hereof.

(3) No person shall ship or deliver any lot of apples of more than 5 bushels unless such apples have been inspected by an authorized representative of the Federal-State inspection service or by some other inspection service approved by the Director; and each person who ships or delivers a lot of apples, as aforesaid, to any person other than a governmental agency shall submit promptly to the Deputy Order Administrator, War Food Order No. 121, P. O. Box 1345, Yakima,

Washington, a copy of the inspection certificate issued, as aforesaid, with respect to each lot of apples shipped or delivered by such person. The aforesaid inspection certificate shall state the variety, grade, and range of sizes of the apples in the respective lot; and such certificate shall also state whether the apples, with respect to which the certificate is issued, are wrapped and the type of the container in which such apples are packed.

(4) The restrictions hereof shall be observed without regard to the rights of creditors, existing contracts, payments made, or to deliveries of apples made prior to the effective date hereof. This order shall not, however, be construed as reducing the quantity of apples which any person is required to ship, offer, or deliver under any existing contract with a governmental agency.

(c) *Records and reports.* (1) Each person who owns, controls, or has in storage 500 bushels of apples or more shall, within 7 calendar days after the effective date hereof, mail a report on Form WFO 121, to the Deputy Order Administrator, War Food Order No. 121, P. O. Box 1345, Yakima, Washington, stating (i) the location, quantity, and variety of the apples which are owned, controlled, or stored by such person, and (ii) the quantities, by varieties, of all apples produced during the 1944 crop year or acquired since August 1, 1944 by such person; and each such person shall also correctly complete and fill in all of the other information called for by the said Form FDO 121-1.

(2) The Director shall be entitled to obtain such additional information from, and require such additional reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate) maintain an accurate record of his transactions in apples.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of apples of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the order administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 121, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The order administrator may take any action with

reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the order administrator on the petition, he shall obtain, by requesting the order administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using apples. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as order administrator, and another such employee shall be designated by the Director to serve as alternate order administrator, and such other employees as may be necessary shall be designated to serve as deputy order administrators.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Deputy Order Administrator, War Food Order No. 121, P. O. Box 1345, Yakima, Washington.

(i) *Provisions of certain orders not applicable.* The provisions of War Food Order No. 73, as revised and amended (9 F.R. 10036), and of War Food Order No. 74, as amended on July 14, 1944 (9 F.R. 8002) do not apply with respect to apples restricted by the provisions hereof.

(j) *Effective date.* This order shall become effective at 12:01 a. m., p. w. t., January 16, 1945.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of January 1945.

MARVIN JONES,  
War Food Administrator

[F. R. Doc. 45-1038; Filed, Jan. 10, 1945;  
3:16 p. m.]

[WFO 122]

#### Part 1425—CANNED AND PROCESSED FOODS

##### RESTRICTIONS WITH RESPECT TO CANNED GRAPEFRUIT JUICE AND TO CANNED GRAPEFRUIT JUICE AND ORANGE JUICE BLENDED

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of canned grapefruit juice, and of canned grapefruit juice and orange juice blended, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense;

§ 1425.13 *Restrictions with respect to canned grapefruit juice, and to canned grapefruit juice and orange juice blended—(a) Definitions.* (1) "Person" means any individual, partnership, corporation, association, or other business entity.

(2) "Director" means the Director of Marketing Services, War Food Administration.

(3) "Canner" means any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(4) "Government agency" means any officer, board, agency, commission, or Government-owned, or Government-controlled corporation of the United States, specifically designated by the Director.

(b) *Restrictions.* Notwithstanding any provisions of War Food Order No. 22-7 (9 F.R. 12333, 10 F.R. 103), on and after the effective date of this order, no canner shall sell, ship, or deliver any canned grapefruit juice, or any canned grapefruit juice and orange juice blended, to any person other than the Army of the United States, for its own account or for the account of another Government agency.

(c) *Releases from restrictions.* The Director may, notwithstanding the provisions hereof, release any canned grapefruit juice, or any canned grapefruit juice and orange juice blended, from the restrictions of this order whenever he determines that such release is necessary or appropriate in the public interest and to promote the national defense.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of canned grapefruit juice, and canned grapefruit juice and orange juice blended, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate) maintain an accurate record of his transactions in canned grapefruit juice, and canned grapefruit juice and orange juice blended.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 122, Fruit and Vegetable Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator, and one such employee shall be designated by the Director to serve as Deputy Order Administrator.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Director of Marketing Services, War Food Administrator, Washington 25, D. C., Ref. WFO 122.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., January 18, 1945.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 17th day of January 1945.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 45-10629; Filed, Jan. 17, 1945; 11:49 a. m.]

## TITLE 15—COMMERCE

### Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 51;  
Order 354]

#### PART 30—FOREIGN TRADE STATISTICS CORRECTIONS, AMENDMENTS OR CANCELLATIONS OF DECLARATIONS

JANUARY 16, 1945.

Section 30.25 is amended to read as follows:

§ 30.25 *Corrections, amendments or cancellations of declarations*—(a) *Import entries or withdrawals.* Changes in classification and changes in quantities or values amounting to \$100 made in liquidating entries or withdrawals must be reported to the Customs Statistics Section of the Foreign Trade Division, Bureau of the Census, Customhouse, New York 4, New York, on Customs Form 7401, correction report of import entry or withdrawal. In order to minimize correction reports, collectors may hold entries until after examination and weighing of the goods, making any changes on the statistical copies forwarded to the New York statistical office, if that practice will not result in great delay in transmitting statistical copies of entries.

(b) *Export declarations.* Corrections, amendments, and cancellations of Shipper's Export Declarations (Commerce Forms 7525-V, 7525-DA-V) and In-Transit Shipper's Export Declarations (Commerce Forms 7513, 7513-DA), made after the declarations have been filed with the Collectors of Customs, are to be reported on Shipper's Export Declaration Correction Form (Commerce Form FT 7403). This form is to be prepared by the shipper or his agent, and filed in duplicate with the Collector of Customs at the port from which the merchandise was exported. Exporters may obtain copies of this form free of charge from

the Collectors of Customs. The provisions of this paragraph (b) relating to the filing of Shipper's Export Declaration Correction Form (Commerce Form FT 7403) shall not be construed as a relaxation of the requirements of the laws and regulations pertaining to the preparation and filing of Shipper's Export Declarations.

(R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] JESSE H. JONES,  
Secretary of Commerce.

[F. R. Doc. 45-10665; Filed, Jan. 17, 1945; 10:33 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common  
to Various Taxes

[T. D. 5429]

#### PART 472—REGULATIONS UNDER SECTION 3804 OF THE INTERNAL REVENUE CODE

##### TIME FOR PERFORMING CERTAIN ACTS POSTPONED BY REASON OF WAR

Section 472.102 (b) of Treasury Decision 5279, specifying certain acts with respect to which a period of time may be disregarded under section 3804 of the Internal Revenue Code, amended to include the relinquishment by the grantor of power to change the disposition of certain trust property as provided in section 1000 (e) of the Code.

Section 472.102 (b) of Treasury Decisions 5279 (26 CFR, 1943 Supp., Part 472) approved July 10, 1943, as amended by Treasury Decision 5293, approved August 30, 1943, is further amended by inserting at the end thereof the following:

§ 472.102 *Acts postponed.* \* \* \*

(b) *Other acts.* \* \* \*

(11) Relinquishment by the grantor, as provided in section 1000 (e) of power to change the disposition of the property in certain trusts described in such section or the income therefrom.

(Secs. 3791 and 3804, I.R.C. (53 Stat. 467, 56 Stat. 961; 26 U.S.C., 3791, 26 U.S.C., Sup. III, 3804))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: January 16, 1945.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-1072; Filed, Jan. 17, 1945; 11:02 a. m.]

## TITLE 29—LABOR

### Subtitle A—Office of the Secretary

#### PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY AND HOLIDAY PAY

##### PREMIUM COMPENSATION IN BUILDING AND CONSTRUCTION TRADES; AMENDMENT

On November 28, 1944 I issued an order (9 F.R. 14050) deleting the conditions of

my order of April 11, 1944, which exempted from the provisions of Executive Order 9240 all work in the building and construction industry not previously exempted by my order of September 30, 1942. The authorization of new war construction makes it advisable for the successful prosecution of the war that I amend my order of November 28, 1944 to restore these conditions with respect to specified work in the building and construction industry.

Now, therefore, by virtue of the power vested in me by Executive Order 9248, it is ordered for the duration of the war that the provisions in my order of April 11, 1944 be restored to full force and effect on the construction, alteration or repair of any building, structure or facility undertaken because of the intended use thereof by the United States or in aid of the performance by prime contractors or their subcontractors of contracts with the United States.

Accordingly, the determination of the Secretary of Labor issued September 30, 1942 is extended to exempt from Executive Order 9240 all such work in the building and construction industry performed by employees at the site of construction. *Provided*, That it is performed under the following conditions, which are now in effect on all construction work subject to the Wage Stabilization Agreement of July 22, 1941 entered into between certain Government agencies engaged in defense construction and the Building and Construction Trades Department of the American Federation of Labor:

Where a single shift is worked, eight hours of continuous employment, except for lunch periods, shall constitute a day's work beginning on Monday and through Friday of each week. Where work is required in excess of eight hours on any one day or during the interval from 5:00 p. m. Friday to 7:00 a. m. Monday, or on holidays, such work shall be paid for at 1½ times the basic rate of wages.

Where two or more shifts are worked, five days of 7½ hour shifts from Sunday midnight to Friday midnight, shall constitute a regular week's work. The pay for a full shift period shall be a sum equivalent to eight times the basic hourly rate and for a period less than the full shift shall be the corresponding proportional amount which the time worked bears to the time allocated to the full shift period. Any time worked from Friday midnight to Sunday midnight or in excess of regular shift hours shall be paid for at 1½ times the basic rate of wages.

Any work not subject to the provisions of Executive Order 9240 pursuant to this order shall be subject to the amendment of my determination of September 30, 1942, issued May 22, 1943, which limits holidays in this industry to New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and Memorial Day.

All questions of interpretation and application arising hereunder shall be referred for determination to the Wage Adjustment Board for the building and construction industry.

Dated: January 15, 1945.

FRANCES PERKINS,  
Secretary of Labor

[F. R. Doc. 45-1082; Filed, Jan. 17, 1945;  
11:04 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-691]

##### DIVISION AVENUE BUS LINE

Robert Christian, doing business as Division Avenue Bus Line, is the owner and operator of a public bus service from downtown Grand Rapids, Michigan, to Cutlerville, Michigan, with headquarters at 4418 South Division Avenue, Grand Rapids, Michigan. During September and October, 1944, without authorization by the War Production Board, he began and continued construction of a garage on his premises at 4418 South Division Avenue, Grand Rapids, Michigan, the estimated cost of which exceeded the limit of \$200 permitted by Conservation Order L-41, and was in violation of that order. Robert Christian was aware of War Production Board restrictions on construction and his actions constituted willful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.691 *Suspension Order No. S-691.* (a) Neither Robert Christian individually or doing business as Division Avenue Bus Line, or under any other name, his or its successors or assigns, nor any other person shall do any construction on the premises at 4418 South Division Avenue, Grand Rapids, Michigan, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Robert Christian, individually or doing business as Division Avenue Bus Line, or under any other name, his or its successors or assigns, or any other person, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 16th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1042; Filed, Jan. 16, 1945;  
4:04 p. m.]

#### PART 903—DELEGATIONS OF AUTHORITY

[Directive 36, as Amended Jan. 17, 1945]

##### RATIONING OF NEW AND USED COMMERCIAL VEHICLES

§ 903.149 *Directive No. 36—(a) Rationing authority transferred to Director of Office of Defense Transportation.* The Director of the Office of Defense Transportation (hereafter referred to as the Director) is hereby authorized to

perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the act of June 28, 1940 (Pub. Law 671, 76th Cong.) as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.) with respect to the exercise of rationing control over the transfer, sale, delivery, use or other disposition of new and used commercial motor vehicles as defined herein. Nothing in this directive shall be deemed in any way to limit the functions and authority of the Director under the act of December 1, 1942 (Pub. Law 779, 77th Cong.) and Executive Order No. 9294, dated January 4, 1943.

(b) *Information, reports and records.* In connection with the exercise of rationing control, the Director is further authorized to exercise the power, authority and discretion conferred upon the President by the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.), except with respect to vehicle production and distribution by manufacturers, to obtain information, to require reports and keeping of records; to make inspection of books, records and other writings; to make investigations; to administer oaths and affirmations; and to require the attendance and testimony of witnesses and the production of books, records or other documentary or physical evidence pursuant to said statute.

(c) *Limitations on the authority delegated.* The power, authority and discretion hereby delegated to the Director in respect to the rationing of new commercial motor vehicles shall be exercised under the following conditions:

(1) Quotas have been and will be established by the War Production Board, from time to time, fixing the number of new commercial motor vehicles to be made available from the existing stockpile of vehicles and from new production to the Army and Navy of the United States, the Office of Defense Transportation, the Foreign Economic Administration (including the Office of Lend-Lease Administration and the Office of Economic Warfare), Canada, the United States Maritime Commission, the Panama Canal, the Procurement Division of the Treasury Department, the War Production Board and to any other agency which the War Production Board determines is entitled to a quota. These quotas shall not be altered or modified in total amount over the period for which they are established except when approved by the War Production Board.

(2) Within the limits of its own quota each such agency shall determine the use to which the particular vehicle is to be put and the Director shall not refuse to authorize the transfer on any ground other than that the particular quota has been exhausted.

(3) In the rationing of new commercial motor vehicles from the quota established for the Office of Defense Transportation, the Director shall authorize the transfer, sale, delivery, use or other disposition of new commercial motor vehicles pursuant to such standards, orders and regulations as he may deem necessary in the public interest and to promote the national defense.

(d) *Delegation of authority by the Director.* The Director may exercise the power, authority and discretion conferred upon him by this directive through such officials and employees of the Office of Defense Transportation, or other officials of the Government of the United States, as he may determine and pursuant to such orders and regulations as he may deem requisite in the public interest.

(e) *Reports to War Production Board.* The Director shall furnish reports at monthly intervals to the War Production Board covering the number of vehicles transferred from each of the established quotas, and such other reports as may be required by the Board.

(f) *Definition.* "Commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which (1) was designed to be propelled or drawn by mechanical power; (2) was designed for use on or off the highways for transportation of property or persons; (3) was manufactured otherwise than under specification of the United States Army or Navy, including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full trailers, semitrailers, ambulances, hearses, bus chassis, station wagons, carry-all sub-urbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(g) *Modification of this directive.* The War Production Board may from time to time amend this directive in such manner and to such extent as it may determine to be necessary. This directive modifies Supplementary Directive 1C, issued February 28, 1942, to the extent applicable.

(h) *Executive orders not affected.* Nothing in this directive affects the respective obligations and authorities of the Director and the Chairman of the War Production Board with respect to determining the relative importance of deliveries required for defense, by such instructions, certifications and directives as may be issued by the Chairman, as stated in paragraph 4 of Executive Order 8989, dated December 18, 1941, and any other applicable executive orders.

Issued this 17th day of January 1945.

WAR PRODUCTION BOARD,  
By S. W. ANDERSON,  
Program Vice Chairman.

[F. R. Doc. 45-1083; Filed, Jan. 17, 1945;  
11:22 a. m.]

PART 3291—CONSUMERS DURABLE GOODS  
[Supplementary Limitation Order L-65-a, as  
Amended Jan. 17, 1945]

#### ELECTRIC IRONS

§ 3291.316 *Limitation Order L-65-a—*  
(a) *What this order does.* This order

controls the manufacture and delivery of electric irons. It provides for the resumption of production of these items on a limited basis. Notwithstanding the provisions of Limitation Order L-65, no person shall manufacture any electric irons except under the terms of this order.

(b) *Definition.* For the purpose of this order: "Electric iron" means any portable iron designed primarily to be used in ironing or pressing wearing apparel and having a self-contained heating element in which heat is generated by the passage of electricity.

(c) *Production of electric irons.* (1) No person shall make any electric irons except in models and quantities specifically authorized by the War Production Board in writing. Application should be made by filing Forms WPB-3700 and WPB-3820 with the field office of the War Production Board for the district in which the plant where the irons are to be made is located.

(2) Each person who has a production quota assigned under paragraph (c) (3) may make in addition to that quota, electric irons in approved models to fill purchase orders or contracts calling for delivery to or for the account of the U. S. Army, Navy, Veterans Administration, Maritime Commission or the War Shipping Administration. Irons may not be made to fill even these orders by any person who has not been assigned a production quota.

(3) *Manufacture of new electric irons will be authorized under this paragraph (c) (3) to meet approved War Production Board programs. In general, production will be authorized where it will not require materials, components, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of electric irons at some previous time. Upon request, the War Production Board will give notice to any manufacturer of the production authorized.*

(4) *In addition to authorizations to meet approved War Production Board programs, production may be authorized in accordance with Priorities Regulation 25. Such additional production will be authorized on applications filed under paragraph (c) (1) and applications should not be filed on Form WPB-4000.*

(d) [Deleted Jan. 17, 1945.]

(e) *Distribution.* It is the policy of the War Production Board that each manufacturer shall distribute his production through his normal distribution channels, taking into consideration shipments to areas during 1941, immigration of workers to certain areas, and such other factors as will provide equitable

distribution to meet essential needs. The War Production Board may direct the distribution of specified amounts from any manufacturer's production to meet emergencies.

(f) *Preference ratings for purchase of electric irons prohibited.* No preference rating for electric irons shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any purchase order or contract calling for delivery to or for the account of the U. S. Army, Navy, Maritime Commission or the War Shipping Administration.

(g) *Reports.* Every manufacturer producing electric irons shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-65-a.

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric irons to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals—(1) [Deleted Jan. 17, 1945.]*

(2) *Appeals.* Any appeals from the provisions of this order other than paragraph (c) and (d) should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the provisions of paragraph (c) and (d)

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-65-a.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 17th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1035; Filed, Jan. 17, 1945;  
11:22 a. m.]

## PART 3270—CONTAINERS

[Conservation Order M-81, as Amended Jan. 1, 1945; Amdt. 1]

## CANS

Section 3270.31 Conservation Order M-81 is amended as follows:

(1) All of the words which appear in columns (1) (2) (3) (4) and (5) after Items 9, 17 and 18 in Schedule A shall be deleted and the following shall appear as Item 9 in the Schedule:

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
9. Fruits, as follows: a. Fruit cocktail, consisting of any combination of fruits listed in this schedule and grapes, provided that the combination, by drained weight, shall consist of not less than 50% peaches and pears, and may not exceed 10% grapes. Pineapple may be used to the extent of 10% of the fruit cocktail. b. Peaches, halves, slices, cubes, pulp and puree (see note after item 22). c. Pears, halves, slices or cubes.	Unlimited..... 70% of average annual area of tinplate in 1943 and 1944. Products are interchangeable. Cans packed under this quota must all be used for filling WFO-22 set aside	2½, 10..... 2½, 10.....	1.50 tin..... 1.50 tin.....	0.50 tin..... 1.50 tin.....

Issued this 17th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1087; Filed, Jan. 17, 1945;  
11:22 a. m.]

## PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-176, as Amended  
Jan. 17, 1945]

## DOMESTIC AND COMMERCIAL ELECTRIC FANS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 Limitation Order L-176—  
(a) *What this order does.* This order controls the manufacture and delivery of certain types of electric fans. It provides for the resumption of production of a limited quantity of 12 inch and 16 inch fans. Generally, it does not control heavy industrial type fans which are controlled by Limitation Order L-123.

(b) *Definitions.* For the purposes of this order—

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) [Deleted Jan. 17, 1945.]

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any electric fan or parts for an electric fan, including a person who assembles parts of an electric fan for sale in knocked down form.

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Permitted manufacture of electric fans.* (1) No manufacturer shall make or assemble any electric fans except in models and quantities specifically authorized by the War Production Board in writing. Application should be made by filing Forms WPB-3700 and WPB-3820 with the field office of the War Production Board for the district in which the plant where the fans are to be made is located.

(2) Manufacture of new electric fans will be authorized under this paragraph

(c) (2) to meet approved War Production Board programs. In general, production will be authorized where it will not require materials, components, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of electric fans at some previous time. In general, the War Production Board will authorize the production of 12-inch and 16-inch electric fans

only, and no manufacturer will be authorized to make more than one model of each size of fan. Upon request, the War Production Board will give notice to any manufacturer of the production authorized.

(3) In addition to authorizations to meet approved War Production Board programs, production may be authorized in accordance with Priorities Regulation 25. Such additional production will be authorized on applications filed under paragraph (c) (1) and applications should not be filed on Form WPB-4000.

(d) *Certain production exempt.* The restrictions contained in paragraph (c) do not apply to the production or assembly of electric fans to fill special orders.

(e) *Effect on outstanding authorizations.* All authorizations for manufacture or assembly of electric fans issued by the War Production Board before May 24, 1944, on appeals or otherwise are hereby cancelled as of May 31, 1944.

(f) *Restrictions on deliveries of electric fans.* No manufacturer shall transfer or deliver any electric fan except:

- (1) To fill special orders;
- (2) To other manufacturers;

(3) As authorized by the War Production Board on Form WPB-1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or

(4) As authorized by the War Production Board on Form WPB-1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref. L-176, (i) to fill Army, Navy, Veterans Administration, Maritime Commission, and War Shipping Administration orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3)

(g) *Restrictions on production of parts.* No manufacturer shall make any parts for an electric fan (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. However, a manufacturer is not required to make less than a minimum practical run of any part (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(h) *Restriction on the use of copper and copper base alloy.* No manufacturer shall use copper or copper base alloy in the manufacture of electric fans or parts for electric fans except in current carrying parts; motor bearings; and for identification, instruction and data plates on fans made to fill special orders as permitted by M-9-c.

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating

carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Veterans Administration, Maritime Commission or War Shipping Administration when authorized on Form WPB-1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Exceptions and appeals.* (1) [Deleted Jan. 17, 1945.]

(2) *Appeals.* Any appeals from the provisions of this order, other than paragraph (c), should be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the provisions of paragraph (c).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-176.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1086; Filed, Jan. 17, 1945;  
11:22 a. m.]

No. 13—2

## PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-J, Revocation]

### RESTRICTIONS ON SALE AND TRANSFER OF FLUID-FOOD TANK TRUCKS, TANK TRAILERS AND TANK TRACTORS

Section 3292.16 *Limitation Order L-1-J* as amended February 16, 1944, is hereby revoked. This revocation does not affect any liabilities incurred under the order. The sale and transfer of fluid-food tank trucks, tank trailers and fluid-food tank tractors is controlled by Office of Defense Transportation General Order No. 48, issued January 17, 1945.

Issued this 17th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1084; Filed, Jan. 17, 1945;  
11:22 a. m.]

## PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-3]

### STEEL DISTRIBUTORS

#### Correction

In Federal Register Document 45-947, appearing at page 591 of the issue for Tuesday, January 16, 1945, the bracket heading should read as set forth above.

## Chapter XI—Office of Price Administration

### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 567; Amdt. 1]

#### MANUFACTURERS' PRICES FOR GLASSINE PAPERS AND GREASEPROOF PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 567 is amended in the following respect:

In Appendix B, paragraph (b) is added to read as follows:

(b) Any maximum price which cannot otherwise be determined under this Maximum Price Regulation 567 shall be determined by the Office of Price Administration

\*Copies may be obtained from the Office of Price Administration.

\*9 FR. 13849.

in Washington, D. C. by order upon receipt of an application from the manufacturer setting forth a description of the grade and the reasons why it cannot be priced under any other provision of this regulation. The applicant shall furnish with such application a completed Form 695-720 with respect to the costs of such grade. (Copies of Form 695-720 are available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.).

This amendment shall become effective January 22, 1945.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1692; Filed, Jan. 17, 1945;  
11:48 a. m.]

## PART 1340—FUEL

[MPR 120; Amdt. 125]

### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 120 is amended in the following respect:

Section 1340.226 is amended to read as follows:

§ 1340.226 *Appendix O: Maximum prices for bituminous coal produced in District No. 15.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) Maximum prices in cents per net ton for shipment from *strip mines* to all destinations for all uses and by all methods of transportation, except truck or wagon. The last six columns of prices in this table are prices for the sizes specified when shipped for railroad locomotive fuel use; and all other prices are for all uses, including other railroad fuel uses. (Underground mine prices are set forth in subparagraph (3) of this appendix)

\*9 FR. 5042, 5375, 5537.

Production group number	Prices and size group numbers															Railroad locomotive fuel prices							Production group number
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15	3" x 1 1/2" unwashed 3" x 0 washed	3" x 0 stoker screenings with 1/2 of fines removed	2" x 1 1/2" unwashed 2" x 0 washed	2" x 0 washed or unwashed	1 1/4" x 0 (w) washed 1 1/4" x 0 (R) unwashed 1 1/4" x 1 1/4" unwashed	Any other size not specifically listed				
1.....	320	320	325	305	300	275	270	270	270	255	200	170	140	260	255	245	230	230W	270	1			
2.....	285	285	285	285	275	260	265	265	245	210	200	165	140	255	255	245	230	230	270	2			
3.....	280	280	285	270	255	245	220	220	255	225	205	160	140	255	255	245	230	230	270	3			
4.....	325	335	310	285	280	275	335	270	270	255	205	160	140	255	255	245	230	230	310	4			
5.....	330	330	305	290	275	270	330	265	265	250	200	160	140	255	255	245	230	230	310	5			
6.....	385	385	385	385	385	385	385	375	375	375	375	375	375	375	375	375	375	375	385	6			
7.....	475	420	420	450	450	450	450	450	450	450	450	450	450	450	450	450	450	450	475	7			
8.....	500	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	500	8			
9.....	500	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	500	9			
10.....	340	330	330	305	250	250	270	175	260	255	200	145	140	255	255	245	230	230R	270	10			
11.....	330	315	315	300	255	295	215	255	255	255	200	155	150	230	230	245	230	230R	270	11			
12.....	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	12			
13.....	500	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	500	13			
14.....	500	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	440	500	14			

(2) Maximum prices in cents per net ton for shipment by truck or wagon from strip mines to all destinations and for all uses.

Production group number	Prices and size group numbers														
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1.....	325	325	310	275	280	285	295	270	245	230	230	210	110		
2.....	325	325	300	285	270	265	285	260	260	245	245	225	110		
3.....	305	305	260	260	270	260	285	255	260	245	245	185	110		
4.....	360	360	350	330	320	295	360	280	295	280	280	200	110		
5.....	360	360	350	330	320	295	360	280	295	280	280	200	110		
6.....	420	420	410	410	410	410	410	410	410	410	410	410	410		
7.....	560	510	460	460	460	460	460	460	460	460	460	460	460		
8.....	510	460	410	410	410	410	410	410	410	410	410	410	410		
9.....	510	460	410	410	410	410	410	410	410	410	410	410	410		
10.....	435	390	345	345	345	345	345	345	345	345	345	345	345		
11.....	405	375	345	345	345	345	345	345	345	345	345	345	345		
12.....	420	420	410	410	410	410	410	410	410	410	410	410	410		
13.....	510	460	410	410	410	410	410	410	410	410	410	410	410		
14.....	510	460	410	410	410	410	410	410	410	410	410	410	410		

(3) Maximum prices in cents per net ton for coals produced at underground mines for shipment to all destinations for all uses and by all methods of transportation, including truck or wagon. The last column of prices in this table are prices for any size of locomotive fuel for mines classified for rail shipment; all other prices are for all other uses, including other railroad fuel uses.

Production group number	Prices and size group numbers															Railroad locomotive fuel, any sizes
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
1.....	385	385	360	345	330	335	345	320	295	280	280	260	160	320		
2.....	400	400	375	360	345	340	360	335	335	320	320	300	185	345		
3.....	370	370	355	345	335	325	330	320	325	310	310	250	185	335		
4.....	450	450	440	420	410	385	450	370	385	370	370	290	200	400		
5.....	450	450	440	420	410	385	450	370	385	370	370	290	200	400		
6.....	500	500	490	470	460	440	500	490	490	490	490	490	490	490		
7.....	640	560	510	510	510	510	510	510	510	510	510	510	510	510		
8.....	590	510	460	460	460	460	460	460	460	460	460	460	460	460		
9.....	590	510	460	460	460	460	460	460	460	460	460	460	460	460		
Rail 10.....	440	395	350	350	350	350	350	350	350	350	350	350	350	350		
Truck 10.....	460	415	370	370	370	370	370	370	370	370	370	370	370	370		
11.....	530	500	470	470	470	470	470	470	470	470	470	470	470	470		
12.....	500	500	490	490	490	490	490	490	490	490	490	490	490	490		
13.....	500	500	490	490	490	490	490	490	490	490	490	490	490	490		
14.....	590	510	460	460	460	460	460	460	460	460	460	460	460	460		

(4) Maximum prices in cents per net ton for Oklahoma smithing coal from Production Group No. 12 to all destinations and by all methods of transportation (including truck or wagon)

	Underground mines	Strip mines
Crushed mine run—bulk.....	645	620
Crushed mine run—sacked.....	795	770
Lump—over 2 1/2".....	695	670

(5) Specific description of size group numbers referred to in subparagraphs (1), (2) and (3) above.

#### Size group number and description

1—Fancy Lump. Single-screened lump coal with a bottom size larger than 3"

#### Size group number and description

All double-screened coals top size larger than 10"

2—Lump. Single-screened lump coal with a bottom size 3" and smaller.

3—Furnace or Egg. Double-screened coals with a top size larger than 3" but not exceeding 10" bottom size larger than 1 1/4"

4—Egg-Nut. Double-screened coals with a top size larger than 3" but not exceeding 10" bottom size 1 1/4" and smaller.

5—Fancy Nut. Double-screened coals with a top size larger than 2" but not exceeding 3" bottom size larger than 1 1/4"

6—Standard Nut. Double-screened coals with a top size larger than 2" but not exceeding 3" bottom size 1 1/4" and smaller.

#### Size group number and description

7—No. 2 Nut. Double-screened coals with a top size larger than 1 1/4" but not exceeding 2"

8—Chestnut. Double-screened coals with a top size 1 1/4" and smaller; bottom size larger than 3/8"

9—Mine Run. Includes all coal as it comes from the mine from which no intermediate sizes have been removed. All resultants larger than 3" x 0.

10—Nut Run. Resultants top size larger than 1 1/4" x 0 but not exceeding 3" x 0.

11—Special Stoker. Double-screened coals with a top size 1 1/4" and smaller, bottom size larger than 1/4" but not exceeding 3/8"

12—Raw Prepared Screening. Double-screened coals with a top size 1 1/4" and smaller, bottom size 1/4" and smaller.

13—Washed Screening. All washed screenings top size not exceeding 1 1/4" x 0.

14—Raw Screenings. Larger than 1/4" x 0 but not exceeding 1 1/4" x 0.

15—All raw screenings top size not exceeding 1/4" x 0.

(6) All orders of adjustment issued prior to January 22, 1945, shall be void as of January 22, 1945.

(7) When used in this paragraph (b) production group No. 14 shall include all mines located in all counties in Texas.

This amendment shall become effective January 22, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of January, 1945.

CHESTER BOWLES  
Administrator

[F. R. Doc. 45-1097; Filed, Jan. 17, 1945; 11:50 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [FPR 2,1 Amdt. 1]

#### GENERAL PRICING PROVISIONS FOR CERTAIN GRAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

\* Copies may be obtained from the Office of Price Administration.  
19 F.R. 8304.

Food Products Regulation No. 2 is amended in the following respects:

1. The first sentence of section 1.2 (d) is amended to read as follows:

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing persons who make sales under price control, apply to you if you are a seller subject to this regulation, but no such license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him.

2. The last sentence of section 2.3 (d) (1) is amended to read as follows:

"Such standards are as follows: For oats, No. 3 oats with a test weight of 27 pounds, per bushel; for corn, No. 2 corn; for barley, No. 2 barley with a test weight of 46 pounds, per bushel; for grain sorghums, No. 2 grain sorghums; and for wheat, No. 1 wheat of its sub-class."

3. The words, "within 60 days from the effective date of the applicable supplement" are deleted from the last sentence of section 2.5 (a) (2) (iii)

4. Section 3.1 (a) (2) is amended to read as follows:

(2) "Bushel" as a unit of measurement, means the following:

	Pounds
Oats-----	32
Barley-----	48
Shelled corn-----	56
Ear corn and snapped corn-----	The weight provided by State law, at the point and time of delivery, but in no event less than 68 pounds.
Grain sorghums-----	56
Wheat-----	60
Rye-----	58

5. Section 4.1 (a) (1) (ii) is amended to read as follows:

(ii) Barley shall be priced as No. 3 barley with a test weight of 43 pounds per bushel.

This amendment shall become effective January 22, 1945.

Issued this 17th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

Approved: January 8, 1945.

MARVIN JONES,  
War Food Administrator

[F. R. Doc. 45-1090; Filed, Jan. 17, 1945; 11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 2]

#### GENERAL PRICING PROVISIONS FOR CERTAIN GRAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 8304.

Food Products Regulation No. 2 is amended in the following respects:

1. Section 2.4 is deleted.

2. The last sentence in the first paragraph of section 2.5 is deleted.

3. Section 2.5 (a) (1) (iii) is amended to read as follows:

(iii) The lot is sold by your selling office to a feeder, retailer or processor, or

4. The words: "Prior to January 1, 1943 and continuously since that date" are deleted from the first sentence of section 2.5 (a) (2) (iii)

5. Section 2.5 (b) (1) (iii) is amended to read as follows:

(iii) The lot is sold by your selling office to a feeder, retailer or processor.

6. Section 3.1 (a) (9) is amended to read as follows:

(9) "Carload quantity" or "carload shipment" mean a lot of grain of 60,000 pounds or more not delivered by or into a truck or a lot of grain of 30,000 pounds or more when shipped by rail in such a manner as to take a carload rate under tariff requirements, and includes mixed cars and pool cars.

7. Section 3.1 (a) (10) is amended to read as follows:

(10) "Less than carload lot" "less than carload quantity" or "less than carload shipment" means a lot of grain less than a carload quantity or carload shipment. It includes any delivery by or into truck.

This amendment shall become effective January 22, 1945.

Issued this 17th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

Approved: January 8, 1945.

MARVIN JONES,  
War Food Administrator

[F. R. Doc. 45-1091; Filed, Jan. 17, 1945; 11:50 a. m.]

#### PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASONRY MATERIALS

[RMFR 206, Amdt. 10]

#### VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

##### Correction

In the document appearing in the first column on page 595 of the issue for Tuesday, January 16, 1945, the FEDERAL REGISTER serial number should read "F. R. Doc. 45-884"

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMFR 148, Amdt. 19]

#### DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment

<sup>1</sup> 7 F.R. 8609, 9005, 8948, 8 F.R. 544, 2322, 8367, 4785, 7322, 7671, 7826, 8378, 8677, 8998, 10571, 10732, 11380, 13296, 15191, 15609, 16426, 9 F.R. 1996, 43083.

has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Section 1364.22 (f) (1) is amended by deleting the word "sworn"

2. Subdivision (ii) of § 1364.32 (a) (15) is revoked.

3. Subdivisions (iii) (iv) and (v) of § 1364.32 (a) (15) are designated (ii), (iii) and (iv) respectively.

4. Subparagraph (4) of § 1364.32 (b) is amended to read as follows:

(4) "Cooked" refers to a pork product which (i) has been heated otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 85 percent of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that cooked hams, shoulders and picnics, bone in or boneless, but not fatted, listed in items 1, 3, 4, 5, 12 and 13 of Schedule I (a) of § 1364.35 may have a lean meat weight not in excess of 90 percent of the weight in the green state, or a moisture content in the lean meat not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

5. Subparagraphs (8) (11) (13) (30) and (40) of § 1364.32 (c) are amended to read as follows:

(8) "Regular picnics"—Picnics cut from shoulders not less than one rib wide in such a manner as to leave not less than 1 inch or more than 2½ inches of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with fat properly beveled on the butt end, with the foot cut off at or above the upper knee joint (toward the body of the hog).

(11) "Regular picnic, half skinned"—Regular picnics from which the skin has been removed from at least 2½ inches of the butt end of weights 8 pounds or less and from at least 3 inches of the butt end of weights over eight pounds and beveled from the beginning of the skinned portion to the lean meat at the butt end.

(13) "Regular shoulder"—Shoulders cut not less than 1 rib wide, with the breast flap taken off and the jowl removed close to the body of the shoulder, and with the foot cut off at or above the upper knee joint (toward the body of the hog).

(30) "Aged, dry cured"—Products which have been dry cured and which have been hung. The combined period for curing and hanging shall constitute not less than 5 months.

(40) "Cappicola butt"—A pork product made from whole cured boneless shoulder butts, cellar trimmed, spiced and stuffed in natural or artificial casings; (i) which has been heated for sufficient time to assume the characteristics of a cooked product; (ii) which is ready to serve without further heating; (iii) and which has a finished weight not

in excess of 85 percent of the green weight of the boneless butts used and the moisture content of which does not exceed 3.2 times the weight of the protein minus the weight of the sodium chloride as chemically tested.

6. Subparagraphs (41) (42) (43) (44) (45) (46) (47), (48) (49) and (50) of § 1364.32 (c) are added to read as follows:

(41) "Belly squares, dry salt trim"—Belly squares (or strips) made by cutting dry salt trim bellies at right angles to the length (crosswise) of the bellies, making two or more pieces not less than 4 inches in width measuring from the narrowest part.

(42) "Feet, short cut"—Front or hind pigs feet. Front feet are cut from the shoulder at or above the upper knee joint (toward the body of the hog) hind feet are cut from the ham at or above the hock joint (toward the body of the hog) with the exposed part of the gambrel cord (tendon) entirely removed.

(43) "Feet, long cut"—Front pigs feet which have been cut from the shoulder at a point not more than two inches from the arm pit and parallel to the knee joint.

(44) (i) "Hocks, shoulder"—The lower part of the foreshank, which is removed in making shankless shoulders or picnics. The foot is to be removed at or above the upper knee joint (toward the body of the hog) (ii) "Hocks, ham"—The lower part of the ham which is removed in making entirely shankless hams; the foot is to be cut off at or above the hock joint (toward the body of the hog) and the hock is to be removed from the ham by cutting through the stifle joint, deflecting the cut at an angle of approximately 45 degrees toward the exposed shank.

(45) "Knuckles"—The lower part of the foreshank (or hind shank) which is removed in making short shank shoulders, picnics or hams. The knuckle removed from shoulders or picnics shall have the foot removed at or above the upper knee joint (toward the body of the hog) the knuckle removed from the hams shall have the foot removed at or above the hock joint (toward the body of the hog)

(46) "Jowl butts"—Whole jowls, trimmed free of blood clots and ragged pieces.

(47) "Square jowl butts"—Whole jowls which have been pressed or flattened, trimmed square on all edges, face side

faced smoothly, and trimmed free from blood clots.

(48) "Neck fat-skin on"—Trimmed the same as jowl butts except that part pieces may be included.

(49) "Neck fat-skinned"—The same as neck fat-skin on, except that all skin shall be removed.

(50) "Country back bone"—Back bone cut from the entire length of the hog carcass, in a reasonably straight line, starting the cuts on each side of the tail bone, and continuing the cuts through the ribs on each side of the chine bone, to the shoulder end of the carcass. All the meat adhering to the back bone in making this cut shall be left attached. The fat attached to the back bone shall not exceed  $\frac{3}{4}$  inch in thickness at any point. All loose fat and skin shall be removed.

NOTE: This item may be sold at wholesale levels only if produced by bona-fide farmers who do their own slaughtering as an incident to their agricultural operations, and who do not engage in commercial slaughtering either on a full or part-time basis.

7. Items 8, 11 and 15 of Schedule I (a) of § 1364.35 are amended to read as follows:

	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
8. Boston butts.....	3-4.....	25.00	4-8.....	25.50	4-8.....	30.25	4-7.....	33.25	.....	.....
	4-8.....	25.00				29.25		32.25	.....	.....
	Over 8.....	24.00	Over 8.....	24.50	Over 8.....	27.50			.....	.....
11. Loin—regular.....	Under 12.....	23.50	Under 12.....	24.00	Under 10.....	26.00			.....	.....
	12-16.....	22.00	12-16.....	22.50	10-14.....	25.00			.....	.....
	16-20.....	21.00	16-20.....	21.50	14-18.....	24.00			.....	.....
	Over 20.....	20.00	Over 20.....	20.50	Over 18.....				.....	.....
15. Shoulders—rough:										
Neck bone in.....		19.25		19.25		23.25				
Neck bone out.....		20.25		20.25		24.25				

8. Item 3 of Schedule I (b) of § 1364.35 is amended by changing the product name to read as follows:

3. Bellies or belly squares—dry salt trim (clear or rib).

9. Item 10 of Schedule I (f) of § 1364.35 is amended by adding the following words immediately before the closing bracket of the parenthesis:

(.....Price includes container).

10. Item 17 of Schedule I (f) of § 1364.35 is amended by changing the price listed in the column headed "Cured," subhead "Loose" from \$54.00 to \$47.00.

11. Item 18 of Schedule I (f) is amended, and Item 19 of Schedule I (f) is added in § 1364.35 to read as follows:

Item	Fresh or frozen	Cured		Smoked
		Loose	In tiers	
18. Capicola butt:				
Natural casing.....		43.00		
Artificial casing.....		42.25		
19. Country back bone (may be sold by farmers only).....	17.50			

This amendment shall become effective January 22, 1945.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1095; Filed, Jan. 17, 1945; 11:47 a. m.]

#### PART 1379—SMALL ARMS AND PARTS

[MPR 254, Amdt. 3]

##### NEW SMALL FIREARMS AND FIREARM PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 254 is amended in the following respects:

1. A new § 1379.4a is added to read as follows:

§ 1379.4a *Maximum prices for rifles and shotguns after January 22, 1945.*

(a) The purpose of this section is to provide for an adjustment in the maximum prices of manufacturers, distributors and retailers, of rifles and shotguns.

(b) *Adjustment for rifles and shotguns appearing in the manufacturer's price list.* (1) Each manufacturer who recalculates his maximum prices under this section for rifles or shotguns which appeared in his price list in effect on January 10, 1942, or for which an order was issued fixing a maximum price under § 1379.4, shall prepare price lists for his sales, for sales by distributors, and for sales by retailers based on the increases

\*Copies may be obtained from the Office of Price Administration.

specified in the next three sub-paragraphs. The maximum prices so calculated shall be the distributors' and retailers' maximum prices.

(2) Manufacturer's maximum prices to distributors may be increased by 8% in the case of a rifle and 9% in the case of a shotgun.

(3) Distributor's maximum prices may be increased by 5.35% of the manufacturer's net price in the case of a rifle, and 6.54% of the manufacturer's net price in the case of a shotgun.

Manufacturer's net price means the manufacturer's maximum price to distributors less any special, quantity or premium discounts (except cash discounts) plus the Federal excise tax.

(4) Retailers maximum prices may be increased by 2.2% of the manufacturer's net price (as defined above) in the case of a rifle, and 3.7% of the manufacturer's net price (as defined above) in the case of a shotgun.

(5) The manufacturer and the distributor shall, at or prior to the first invoice to each purchaser, furnish the purchaser with a price list which contains the maximum prices for the purchaser's resales. Such list shall be accompanied by the following statement:

The prices in the enclosed price list are your maximum prices under Maximum Price Regulation No. 254, including the increases permitted under Amendment 3, effective January 22, 1945. You may not charge more than these prices for any firearm.

(c) *Adjustment for rifles and shotguns not appearing in the manufacturer's price list.* This paragraph deals with the adjustment which may be made with respect to rifles or shotguns whose maximum price was established under § 1379.3 of the regulation. In general these are known in the trade as "private brand" rifles or shotguns.

(1) The manufacturer may increase his existing maximum price for such a rifle or shotgun by 8% in the case of a rifle and 9% in the case of a shotgun.

(2) For sales by a distributor of such a rifle or shotgun, the distributor may increase his existing maximum price by 5.35% of the manufacturer's net price as defined in paragraph (b) (3) in the case of a rifle and 6.54% of that price in the case of a shotgun. Each distributor who recalculates his maximum price under this paragraph, shall also recalculate the amount for each rifle or shotgun which the retailer may add to his price. This amount is 2.2% of the manufacturer's net price as defined in paragraph (b) (3) in the case of a rifle, and 3.7% of that price in the case of a shotgun. The distributor must notify the retailer, before or at the time of the sale to him of the amount which the retailer may add to his existing maximum price. The retail seller may increase his existing maximum price for the rifle or shotgun by that amount.

(3) For sales by a retailer of such a rifle or shotgun purchased directly from the manufacturer, the retailer may add to his existing maximum price 2.2% of the manufacturer's net price [as defined in paragraph (b) (3)] in the case of a rifle and 3.7% in the case of a shotgun.

(d) Notwithstanding the provisions of § 1379.3 of this regulation, the maximum prices including the adjustments allowed by the preceding paragraphs for all sales of rifles and shotguns manufactured by the J. Stevens Arms Company Division of the Savage Arms Corporation, under the brand name, "Springfield" are as follows:

Article	Model number	To distributors excluding Federal excise tax	Maximum prices (including Federal excise tax)—	
			To retailers	To consumers
Shotguns..	94.....	\$3.69	\$2.25	\$11.25
Shotguns..	94P.....	10.65	14.25	17.35
Shotguns..	311.....	18.09	21.19	23.35
Shotguns..	6161.....	18.45	21.35	23.65
Shotguns..	6161ST.....	21.35	24.69	26.89
Shotguns..	29.....	10.65	11.49	17.75
Shotguns..	38.....	8.05	12.09	14.69
Shotguns..	238.....	10.65	13.49	16.35
Rifles.....	87 and 872.....	12.25	16.49	20.09
Rifles.....	687.....	12.70	17.09	20.70
Rifles.....	67M.....	17.65	24.09	29.15
Rifles.....	85.....	10.65	14.25	17.35
Rifles.....	685.....	11.65	14.85	18.65
Rifles.....	83.....	9.45	12.65	15.45
Rifles.....	689.....	9.09	13.25	16.19
Rifles.....	84.....	7.49	9.69	12.65
Rifles.....	684.....	7.85	10.59	12.75
Rifles.....	15.....	3.89	5.65	6.15

(e) *Tagging.* Every seller to a purchaser for resale shall provide with each rifle or shotgun (except a private brand rifle or shotgun) delivered by him on or after January 22, 1945, a tag or label stating the make or brand name, the model number and the retail ceiling price, including Federal excise tax, established by § 1379.4a. All sellers at retail, including private brand sellers, shall attach such a tag or label to the rifle or shotgun when displayed for sale. No person may sell or deliver any rifle or shotgun at retail unless such a tag is affixed to it. A tag or label in the following form (with the blanks properly filled in) is satisfactory:

Make or brand .....  
Model No. ....  
OPA Ceiling Price .....  
(Including Federal excise tax)

2. The paragraph "Notification to Retailers" in § 1379.2 is deleted.

This amendment shall become effective on the 22d day of January 1945.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1036; Filed, Jan. 17, 1945; 11:47 a. m.]

#### PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES

[MPR 118, Amdt. 23]

##### COTTON PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously

herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 118 (Cotton Products) is amended in the following respects:

1. Section 1400.118 (d) (26) (vi) is revoked.

2. Section 1400.118 (d) (29) (vi) is revoked.

This amendment shall become effective January 17, 1945.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1033; Filed, Jan. 17, 1945; 11:46 a. m.]

#### PART 1439—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 205]

##### SALES AT WHOLESALE OF CERTAIN COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. Section 3.11 is revoked.

2. Section 3.20 is added to read as follows:

SEC. 3.20 *Sales at wholesale of certain cotton products—(a) Definitions.* As used in this section, the term

(1) "Producer" means the person in whose mill a cotton product is woven and includes any agent of the producer and any person controlling, controlled by, or under common control with the producer;

(2) "Sale at wholesale" means a sale by a person who in the performance of a recognized distributive function resells goods other than at retail in the same form as that in which he purchases them;

(3) "Performance of a recognized distributive function" means a sale of goods which advances the goods sold to the next level of distribution. Presumptively, sales by one jobber or wholesaler to another, or by one manufacturer to another engaged in the same type of business, are not sales in the performance of a recognized distributive function.

(b) *Details required in the contract of sale or invoice.* Every person making a sale at wholesale of the cotton products for which the maximum price is established by this section shall, with respect to each sale thereof, deliver to the purchaser either a contract of sale or an invoice which shall contain:

- (1) The name and address of the purchaser and the seller;
- (2) The date thereof;
- (3) The terms of sale;
- (4) A description sufficient to identify each item sold;

\*Copies may be obtained from the Office of Price Administration.

(5) The quantity and selling price of each item sold;

(6) A statement that the net selling price does not exceed the maximum price permitted under Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(c) *Records.* In addition to such records as are required to be kept by the provisions of the General Maximum Price Regulation, every person making a sale at wholesale of the cotton products for which the maximum price is established by this Section, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a duplicate of each contract of sale or invoice delivered by him to the purchaser and a record of all items necessary to verify the computation of the maximum price established pursuant to this section.

(d) *Discounts, allowance and transportation costs.* The maximum prices established by this section shall be subject to the allowances, discounts, and other price differentials observed by the seller during March 1942. No seller shall require any purchaser, and no purchaser shall be permitted to pay on a sale at wholesale a larger proportion of transportation costs incurred in the delivery of the cotton product than the seller required purchasers of the same general class to pay during March 1942.

(e) *Sales of certain bed linens at wholesale.* (1) This paragraph applies to sales at wholesale of bed linens of types 112, 128, 140 and 180<sup>1</sup> for which the manufacturer's maximum price is established by Revised Price Schedule No. 89—Bed Linens.<sup>2</sup>

(2) The maximum price for sales at wholesale of these types of bed linens shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 7.4% of the manufacturer's price established by Revised Price Schedule No. 89.

(f) *Sales of terry products, huck and crash towels and corded napkins at wholesale.* (1) This paragraph applies to sales at wholesale of terry products, huck and crash towels and corded napkins for which the producer's maximum prices are established in Maximum Price Regulation No. 118.<sup>3</sup>

<sup>1</sup> "Types 112, 128, 140 and 180" are defined in Table I, § 1316.111 of Revised Price Schedule No. 89. That schedule requires bed linens, when sold by the manufacturer, to bear a label stating the type.

<sup>2</sup> "Bed linens" means finished sheets, finished pillow cases, finished bolster cases, bleached pillow tubing, domestic-type grey wide sheeting, brown sheeting, and bleached sheeting; however, it refers only to goods made of cotton and does not include goods made wholly of combed yarn.

<sup>3</sup> This includes not only the items listed by style number in Maximum Price Regulation No. 118, §§ 1400.118 (d) (26) and 1400.118 (d) (29) but also those terry products, huck and crash towels and corded napkins for which the Administrator has authorized a price under § 1400.101 (b) or for which a price has been established pursuant to § 1400.101 (b) of Maximum Price Regulation No. 118.

(2) The maximum price for sales at wholesale of terry products, huck and crash towels and corded napkins shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 5.8% of the producer's maximum price established by Maximum Price Regulation No. 118.

This amendment shall become effective January 17, 1945.

*Note:* The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1094; Filed, Jan. 17, 1945;  
11:46 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[Gen. Order ODT 48]

#### PART 501—CONSERVATION OF MOTOR EQUIPMENT

##### FLUID-FOOD TRANSPORT MOTOR EQUIPMENT

*General outline.* This General Order ODT 48 restricts the transfer, conversion, diversion, or change in service, of fluid-food motor tank vehicles (trucks, trailers, and tractors) within the continental United States on and after January 17, 1945. It replaces Limitation Order L-1-J of the War Production Board (8 F.R. 3765, 9 F.R. 1867) which has been revoked. This order does not apply to new fluid-food tank vehicles transferred pursuant to the provisions of General Order ODT 44 (9 F.R. 7089) nor to vehicles operated by the military or naval forces of the United States.

Under the terms of this order no person may transfer, or accept transfer of, a fluid-food motor tank vehicle without prior approval of the Office of Defense Transportation, and any transfer made without such prior approval is declared null and void. Prior approval of the Office of Defense Transportation is also required for dismantling, converting, remodeling, or otherwise altering the character of any such vehicle, or for diverting or removing any such vehicle from the service or territory in which it was used, or held for use, on the effective date of the order.

Approval of the Office of Defense Transportation will be given, in whole or in part, when it is determined that the proposed transfer, conversion, diversion, or change in service, to the extent of the approval, will be consistent with existing orders and publicly declared policies of the Office of Defense Transportation, will not adversely affect the successful prosecution of the war or the maintenance of essential civilian economy, and will not unduly impede the successful operation of any conservation plan or

program approved by the Office of Defense Transportation.

An application for approval should be filed by the owner of the vehicle with the district or field office of the Highway Transport Department of the Office of Defense Transportation for the district in which the home office or principal place of business of the applicant is located, unless the applicant is directed to file the application with some other office of the Office of Defense Transportation. The contents of such an application are prescribed in the order, and the procedure for handling an application in the field and in Washington, D. C., is set forth. Authority to approve an application, in whole or in part, or to disapprove it, is vested in the Director, Property Operations Division, Highway Transport Department, Office of Defense Transportation. An adverse decision by the division director is subject to review by the Director of the Office of Defense Transportation upon an appeal, in writing, filed by the applicant within 15 days after the date of mailing of the decision of the division director.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 48 follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital fluid-food transport equipment; and to provide for the prompt and continuous movement of fluid food in bulk, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of fluid-food transport motor equipment and facilities for defense, and for private account, and for export, and it being deemed necessary in the public interest and to promote the national defense, it is hereby ordered, that:

Sec.	Definitions.
501.460	Restrictions on transfers, conversions, diversions, and changes in service, of motor tank vehicles.
501.461	Application for approval; filing; contents.
501.462	Consideration of application by district manager and regional director.
501.463	Consideration of application by division director.
501.464	Division director's order.
501.465	Review of division director's order.
501.466	Successors in interest.
501.467	Exemptions.
501.468	Applicability.
501.469	Communications.

*AUTHORITY:* §§ 501.460 to 501.470, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code, § 633, Public Law 509—78th Congress; E.O. 8989, as amended, 8 F.R. 6725, and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 9 F.R. 6989.

§ 501.460 *Definitions.* As used in this order, unless the context otherwise requires, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Motor tank vehicle" or "vehicle" means a fluid-food tank truck or trailer, or a fluid-food tank tractor.

(c) "Fluid-food tank truck or trailer" means a motor truck or trailer on which is mounted a tank body lined with glass or other material or substance, or made of stainless steel or aluminum or other material, including an integral type trailer, the body of which is of similar construction, and used or suitable for use in the transportation of milk or other fluids for use in human foods, including all such trucks and trailers used in such transportation at any time since January 1, 1933.

(d) "Fluid-food tank tractor" means a truck tractor which on or after March 26, 1943, was used, or held for standby service or in reserve, for hauling fluid-food tank trailers.

(e) "Motor carrier" means any person who owns, operates, leases, uses, or holds for use, a motor tank vehicle and includes common, contract, and private carriers.

(f) "Common carrier" means any person which holds itself out to engage in the transportation of fluid food for the general public by motor tank vehicle for compensation, regardless of the designation of such person under any Federal or State statute.

(g) "Contract carrier" means any person, other than a common carrier, which engages in the transportation of fluid food by motor tank vehicle for compensation, regardless of the designation of such person under any Federal or State statute.

(h) "Private carrier" means any person, other than a common or contract carrier, which engages in the transportation of fluid food by motor tank vehicle regardless of the designation of such person under any Federal or State statute.

(i) "Transfer" means to sell, lease, lend, trade, give, deliver, convey, or physically transfer in any other way, the ownership, possession, or use, or the right to the possession or use, of a motor tank vehicle, including any change in the designation of the registered owner thereof, but shall not include (1) the interchange of motor tank vehicles in the performance of joint line operations; (2) the transfer of possession of a motor tank vehicle to a motor carrier, under a lease, agreement or arrangement, for the purpose of transporting the same character of liquid in the service of such carrier as was transported by the lessor, and when such possession shall not continue under any conditions for a period in excess of seven days from the date

such transfer was first made; (3) the lease of a motor truck made in compliance with a general, special, supplementary, or other order or direction of the Office of Defense Transportation; or (4) the transfer of a motor tank vehicle by virtue of any judgment of a court of competent jurisdiction.

(j) "District" means a district of the Highway Transport Department of the Office of Defense Transportation as defined in Administrative Order ODT 6B, as amended (9 F.R. 12289, T3069).

(k) "District manager" means the manager of a district.

(l) "District office" means a district office of the Highway Transport Department of the Office of Defense Transportation.

(m) "Field office" means a branch of a district office.

(n) "Regional director" means the director of a region of the Highway Transport Department of the Office of Defense Transportation as defined in Administrative Order ODT 6B, as amended.

(o) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.461 *Restrictions on transfers, conversions, diversions, and changes in service, of motor tank vehicles.* (a) Irrespective of the terms of any contract of sale or purchase, or of any other commitment, no person owning, leasing, operating, or otherwise possessing a motor tank vehicle shall, without prior approval of the Office of Defense Transportation:

(1) Transfer, and no person shall accept transfer of, any such motor tank vehicle;

(2) Dismantle, convert, remodel, or otherwise alter the character of, any such motor tank vehicle in any manner to render such vehicle unavailable, unfit, or inadequate for the operation, service, or use in which such vehicle was employed, operated, used, or held for use on the effective date of this order; or

(3) Divert or remove any such motor tank vehicle from any service or territory in which such vehicle was engaged, operated, used, or held for use, on the effective date of this order.

(b) Any transfer of a motor tank vehicle without written approval therefor provided by § 501.461 of this order, shall in all respects be null and void.

§ 501.462 *Application for approval; filing; contents.* (a) Application for approval shall be made in writing by the owner of the vehicle and filed in the district or field office of the Office of Defense Transportation for the district in which the home office or principal place of business of the applicant is located, unless the applicant is directed to make application to some other office of the Office of Defense Transportation.

(b) Such application for approval shall contain the following information:

(1) The full name, including trade name, address, and principal place of business of the applicant;

(2) The serial or certificate number of the certificate of war necessity is-

sued in respect of the motor tank vehicle involved;

(3) A description of the motor tank vehicle, which shall include: (i) Make; (ii) model; (iii) year produced and serial or motor number; (iv) type of body and any structural peculiarities; (v) number, size, and condition of tires; (vi) number of live and dead axles; (vii) whether truck, trailer, or tractor; (viii) type of engine and piston displacement; (ix) estimated mileage operated by vehicle to date; (x) if tank-truck or tank-trailer, state gallonage capacity of tank in U. S. gallons; (xi) if tractor, state gross vehicle weight;

(4) If it is proposed to convert, divert, or change the service of, the motor tank vehicle to, or for, any usage other than its current usage, full information should be given as to the nature of the conversion, diversion, or change in service, and the reasons for making such conversion, diversion, or change in service;

(5) If application is made for approval of a proposed sale or legal transfer, the full name, address, and principal place of business of the intended vendee or transferee;

(6) Full information as to (i) the present use of the vehicle or service in which the vehicle is currently operated, including the kind of fluid food transported; (ii) origin and destination points between which the vehicle is being operated; and (iii) estimated average monthly mileage operated and estimated average monthly gallonage transported by the vehicle for the 12 months next preceding the date of application;

(7) Information as to the effect, if any, that the proposed transfer, conversion, or diversion, would have on the operator's ability to continue to perform all services normally conducted during the 12 months next preceding the date of the application; and

(8) Full information as to (i) the use to which the motor tank vehicle will be put if transferred to proposed transferee, including kind of fluid food to be transported; (ii) origin and destination points between which the vehicle will be operated; (iii) estimated average monthly gallonage to be transported by the vehicle and estimated average monthly mileage to be operated by the vehicle if the proposed transfer is made; (iv) whether the proposed service is a new service or an extension of an existing service; (v) number and types of all other motor tank vehicles now owned, leased, or operated by the transferee; and (vi) whether the vehicle is to be used as a replacement and, if so, the disposition that is to be made of the vehicle to be replaced.

(c) Whenever approval is sought for the transfer of two or more vehicles to a single transferee, or for a conversion, diversion, or change in service of two or more vehicles to or for a single or common usage, a single application may be filed, and to the extent to which the data required to be furnished are identical in respect of two or more of the vehicles involved, such data may be consolidated.

(d) The information required under subparagraph (8) of paragraph (b) of this § 501.462 should be furnished in writing by the proposed transferee and be made a part of the application for approval.

§ 501.463 *Consideration of application by district manager and regional director* (a) Upon receipt of an application the district manager, without undue delay, shall make any necessary investigation and shall either recommend approval, in whole or in part, of the application, or disapproval of it, and shall forward the application promptly to the regional director, who shall endorse his recommendation thereon and forward it to the Director, Property Operations Division, Highway Transport Department, Office of Defense Transportation, Washington, D. C.

(b) The district manager in making his recommendation with respect to an application, and the regional director in endorsing his recommendation thereon, shall be governed by the standards for approval set forth in § 501.464 of this order.

§ 501.464 *Consideration of application by division director* Upon receipt of the application the Director, Property Operations Division, shall approve the application, in whole or in part, whenever he shall determine that the proposed transfer, conversion, diversion, or change in service, to the extent of his approval, will be consistent with existing orders and publicly declared policies of the Office of Defense Transportation, will not adversely affect the successful prosecution of the war or the maintenance of essential civilian economy, and will not unduly impede the successful operation of any conservation plan or program approved by the Office of Defense Transportation; otherwise he shall disapprove the application.

§ 501.465 *Division director's order* Upon approving or disapproving an application, in whole or in part, the Director, Property Operations Division, shall make and enter his findings and issue an order thereon, and forthwith shall serve a copy thereof upon the applicant by mail.

§ 501.466 *Review of division director's order* (a) Within 15 days after the date of mailing of the division director's order disapproving an application, in whole or in part, the applicant may file with the district manager a request for review by the Director of the Office of Defense Transportation. Such request shall be in writing and shall contain statements showing the reasons why the division director's findings and order should be amended, modified, or reversed. Upon the filing of such written request within the time specified herein, the district manager shall transmit the request to the Director of the Office of Defense Transportation, Washington, D. C.

(b) Upon consideration of the application and the record, the Director will enter an order affirming, amending, modifying, or reversing the division director's order. A copy of the Director's

order will be served upon the applicant by mail.

§ 501.467 *Successors in interest.* In the event of a transfer of the operation or of the operating authority of a motor carrier, whether voluntary or involuntary, the provisions of this order shall apply with equal force to the transferee of such operations or of such operating authority.

§ 501.468 *Exemptions.* The provisions of this order shall not apply:

(a) To any motor tank vehicle operated by the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended; or

(b) To any transfer of a new motor tank vehicle made pursuant to the provisions of General Order ODT 44 (9 F.R. 7089). *Provided*, That all subsequent transfers of motor tank vehicles shall be subject to the provisions of this order notwithstanding the provisions in General Order ODT 44 and Administrative Order ODT 27, as amended (9 F.R. 7092, 10268, 15006) pertaining to subsequent transfers of commercial motor vehicles in general.

§ 501.469 *Applicability.* The provisions of this order shall be applicable only within the continental United States.

§ 501.470 *Communications.* Unless otherwise directed, communications concerning this order should refer to "General Order ODT 48" and should be addressed to Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 48 shall become effective January 17, 1945.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 17th day of January 1945.

J. M. JOHNSON,  
Director

Office of Defense Transportation.

[F. R. Doc. 45-1067; Filed, Jan. 17, 1945; 10:41 a. m.]

## Notices

### FEDERAL POWER COMMISSION.

[Docket Nos. G-597, G-598]

ALLEGANY GAS CO., AND NORTH PENN GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JANUARY 16, 1945.

Upon consideration of the joint application filed by Allegany Gas Company and North Penn Gas Company on January 9, 1945, requesting that the proceedings in Docket Nos. G-597 (now set for hearing on January 24, 1945) and G-598 (now set for hearing on January 25,

1945) be consolidated for hearing for the reason that identical rates are involved, the two companies operate as a single entity and the evidence to be submitted in justification of the rates suspended would be identical in each docket; the Commission orders, that:

(a) The proceedings in the above matters be and they hereby are consolidated for the purposes of hearing;

(b) A public hearing be held commencing on January 25, 1945, at 10:00 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in these proceedings;

(c) Interested State Commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-1088; Filed, Jan. 17, 1945; 11:25 a. m.]

### FEDERAL TRADE COMMISSION.

[Docket No. 5219]

STEWART-WARNER CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, January 25, 1945, at ten o'clock in the forenoon of that day (central standard time), in Room 1121, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-1075; Filed, Jan. 17, 1945; 11:05 a. m.]

[Docket No. 5183]

OVELMO Co.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Ovelmo Company, a corporation, and J. C. Hutzell, individually and as an officer of Ovelmo Company, a corporation.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of January, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, January 23, 1945, at ten o'clock in the forenoon of that day (central standard time) in Room 265, Post Office Building, Fort Wayne, Indiana.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-1074; Filed, Jan. 17, 1945;  
11:05 a. m.]

[Docket No. 5010]

ISABELLE BEAUTETICS CO., AND R. H. TILLSON Co.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of R. H. Tillson, an individual trading as Isabelle Beautetics Company, and also trading as R. H. Tillson Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of January, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

*It is further ordered*, That the taking of testimony in this proceeding begin on Wednesday, February 7, 1945, at ten

No. 13—3

o'clock in the forenoon of that day (central standard time), in Room 516, Federal Building, St. Louis, Missouri.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-1073; Filed, Jan. 17, 1945;  
11:05 a. m.]

[Docket No. 5234]

CANUTE Co.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of January, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That George Biddle, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, February 1, 1945, at ten o'clock in the forenoon of that day (central standard time) in Room 222, Post Office Building, Milwaukee, Wisconsin.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-1076; Filed, Jan. 17, 1945;  
11:05 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 804]

RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943,

permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, January 12, 1945, by Auster Company, of car SPED 23993, apples, now on the Great Northern to Auster Company, Chicago, Illinois, to stop over at Iowa City, Iowa, for partial unloading, by Hawk Eye Grocery, via Rock Island.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of January 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-1058; Filed, Jan. 17, 1945;  
10:27 a. m.]

[S. O. 70-A, Special Permit 805]

RECONSIGNMENT OF SPINACH AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, January 12, 1945, by H. Rothstein & Sons of cars ART 24205 and ART 17020, spinach, now on the Pennsylvania Railroad, to D. E. Foote Company Clinton Street Barge Delivery, Baltimore, Maryland, via Pennsylvania Railroad.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-1059; Filed, Jan. 17, 1945;  
10:27 a. m.]

[S. O. 70-A, Special Permit 806]

RECONSIGNMENT OF APPLES AT KANSAS CITY,  
MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, January 12, 1945, by De Feo Fruit Company of car SFRD 25934, apples, now on the Union Pacific to P. B. Hall, Monet, Missouri, via Frisco.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-1060; Filed, Jan. 17, 1945;  
10:27 a. m.]

[S. O. 70-A, Special Permit 808]

RECONSIGNMENT OF VEGETABLES AT  
PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, January 13, 1945, by H. Rothstein & Son, of car MDT 5618, vegetables, now on the Pennsylvania Railroad, to Pioneer Fruit & Produce Co., Hartford, Connecticut. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-1061; Filed, Jan. 17, 1945;  
10:27 a. m.]

[S. O. 70-A, Special Permit 809]

RECONSIGNMENT OF POTATOES AT SHREVE-  
PORT, LA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Shreveport, Louisiana, January 13, 1945, by Dean Osking Company, of car NWX 7204, potatoes, now on the K. C. S. to Natalia, Texas, (KCS-MP).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-1062; Filed, Jan. 17, 1945;  
10:27 a. m.]

[S. O. 70-A, Special Permit 810]

RECONSIGNMENT OF TOMATOES AT  
ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, January 13, 1945, by K. K. Stokes, C. R. I. & P. of car PFE 15444, tomatoes, now on the Wabash Railroad to Atlantic Com. Co., Chicago, Illinois (RI).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of January 1945.

—V. C. CLINGER,  
Director  
Bureau of Service.

[F. D. Doc. 45-1063; Filed, Jan. 17, 1945;  
10:27 a. m.]

OFFICE OF ALIEN PROPERTY CUS-  
TODIAN.

[Divesting Order 104]

EELCO NICOLAAS VAN KLEFFENS

In re: Copyright interests held by Eelco Nicolaas van Kleffens.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on August 16, 1944, by Vesting Order No. 4031, vested all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Eelco Nicolaas van Kleffens in, to and under the following:

(a) Copyright No. 145,581 registered in the United States Patent Office on January 13, 1941, and every claim of copyright and right to copyright, or rights related thereto, in and to the work entitled: "Juggernaut Over Holland"

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or reversioning, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

2. Having found in said Vesting Order No. 4031, that Eelco Nicolaas van Kleffens was a resident or citizen of The Netherlands and was a national of a foreign country (The Netherlands);

3. Having received thereafter representations from the Secretary of State constituting a claim on behalf of Eelco Nicolaas van Kleffens to the ownership of the property identified in paragraph numbered 1 above, which has not been reduced to possession by the undersigned;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined that said property was at the time of vesting owned by said Eelco Nicolaas van Kleffens, and that he was at the date of the vesting of said property, and at all times since has been and now is a resident of England, and is the Foreign Minister of The Netherlands, and that therefore the aforesaid vesting was effected under a mistake of fact;

5. Determining that the error committed in vesting said property should be corrected by a divesting of said property to said Eelco Nicolaas van Kleffens;

Having made all determinations and taken all action required by law; and determining that the disposition hereinafter effected is in the interest of and for the benefit of the United States,

Now, therefore, the Alien Property Custodian divests, assigns, transfers, and conveys to said Eelco Nicolaas van Kleffens all the right, title, and interest of

the Alien Property Custodian in and to the property identified in the paragraph numbered 1 hereinabove.

Executed at Washington, D. C., on December 23, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1077; Filed, Jan. 17, 1945;  
11:11 a. m.]

[Supplemental Vesting Order 4487]

SAN CRISTOBAL APARTMENTS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 391, dated November 19, 1942, that San Cristobal Apartments, Inc., is a business enterprise within the United States and is a national of a designated enemy country (Germany);

2. Finding that Walter Lutz, whose last known address is Stuttgart-V. Schottstrasse 13, Germany, is a national of a designated enemy country (Germany);

3. Finding that Walter Lutz is the owner of property described as follows: A second mortgage executed by San Cristobal Apartments, Inc., as mortgagor, on May 11, 1935, in favor of Mrs. Willi Lutz, which second mortgage covers the apartment building and lot owned by said San Cristobal Apartments, Inc., which property is located at Sol, Norzagaray and Luna Streets, San Juan, Puerto Rico, and which mortgage is evidenced by a promissory note in the principal amount of \$23,000 executed on the 11th day of May, 1935, payable to the order of Mrs. Willi Lutz, which note was negotiated on June 14, 1935, to Dr. Arthur Breyer and Carl Ehlers and was by them negotiated on March 18, 1936, to Walter Lutz, and is now owned by Walter Lutz, subject to any accruals or deductions thereafter, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

which represents an interest in San Cristobal Apartments, Inc., and is property within the United States owned or controlled by a national of a designated enemy country, (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 1, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1078; Filed, Jan. 17, 1945;  
11:11 a. m.]

[Supplemental Vesting Order 4483]

HARUO KAWAKITA

In re: Irrigation stock owned by Haruo Kawakita.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 3570, dated May 3, 1944, that Haruo Kawakita, is a national of a designated enemy country (Japan);

2. Having vested by said Vesting Order Number 3570, certain property particularly described therein which was owned by Haruo Kawakita on May 3, 1944;

3. Finding that Haruo Kawakita is the owner of the property described in subparagraph 4 hereof;

4. Finding that the property described as follows: Five shares of stock of the Columbia Land and Water Company, San Dimas, California, which shares of stock are evidenced by Certificate Number 815 issued June 13, 1933, to Haruo Kawakita,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 4 hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 2 hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by Vesting Order Number 3570) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States re-

quires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 1, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1079; Filed, Jan. 17, 1945;  
11:11 a. m.]

[Vesting Order 4417]

RICHARD G. GOEHLER

Correction

In Federal Register Document 45-77, appearing on page 125 of the issue for Wednesday, January 3, 1945, the address of the Atlantic County Surrogate's Court at the end of the fourth paragraph should read "Atlantic City, New Jersey"

## OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Rev. Order 306]

CULLMAN WHEEL CO.

### AUTHORIZATION OF MAXIMUM PRICES

Revised Order No. 306 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services; docket No. 6983-136.25a-1.

Order No. 306 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 306 under Maximum Price Regulation 136, as

amended, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered.*

(a) The maximum prices for sales by the Cullman Wheel Company, Chicago, Illinois, of its speed reducers, machine tool drives and sprockets (except those sprockets manufactured for tanks) shall be determined as follows: The company shall multiply by 108% the list price it had in effect on October 1, 1941, and shall deduct from the resultant list price all discounts, allowances and other deductions that it had in effect to a purchaser of the same class on October 1, 1941.

(b) Resellers of the items listed in paragraph (a) shall determine their maximum prices by multiplying by 108% their maximum net price in effect to a purchaser of the same class just prior to the issuance of this order.

(c) The Cullman Wheel Company shall notify those customers who buy for resale of the provisions of this order.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 17, 1945.

Issued this 16th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1046; Filed, Jan. 16, 1945;  
4:41 p. m.]

[MPR 188, Order 3289]

GENERAL BEDDING CORP.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries, of a child's upholstered rocker manufactured by General Bedding Corporation, 2046 South Main Street, Elkhart, Indiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's upholstered rocker.....	#100	\$5.10	\$6.00

These prices are f. o. b. factory, are net thirty days and are for the articles described in the manufacturer's application dated September 14, 1944.

For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers
Child's upholstered rocker, #100...	\$6.00

This price is net thirty days and is for the article described in the manufacturer's application dated September 14, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of January 1945.

Issued this 16th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-1047; Filed, Jan. 16, 1945;  
4:41 p. m.]

[Order 26 Under 3 (e)]

So-Lo Works, Inc.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *Applicability of this order* This order applies to all sales at retail by Department and Chain Stores of non-molded, heel strap type women's overshoes made from neoprene latex, vulcanized and cured in one solid piece, all edges reinforced by extra thickness beading, manufactured by So-Lo Works, Incorporated, Loveland, Ohio.

(b) *Maximum retail prices.* The maximum retail prices for a sale at retail of the rubber footwear described in paragraph (a) of this order when sold by Department and Chain Stores are as follows:

	Per pair
Department stores.....	\$0.87
Chain stores.....	77

(c) Before or at the time of the first delivery of the rubber footwear described in paragraph (a) by the manufacturer to a retailer after the effective date of this order, the manufacturer shall notify the retailer of the maximum retail price applicable to the retailer's sales at retail of the footwear.

(d) All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective January 18, 1945.

Issued this 17th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1099; Filed, Jan. 17, 1945;  
11:50 a. m.]

#### Regional and District Office Orders.

##### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 15, 1945.

##### REGION I

Boston Order 1-C, Amendment 1, covering poultry in the Boston Area, filed 12:39 p. m.  
Providence Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain areas in the State of Rhode Island, filed 12:39 p. m.

##### REGION II

District of Columbia Order 1-0, Amendment 4, covering eggs in certain counties in Virginia and Maryland, filed 1:44 p. m.

Erie Order 14-F Amendment 16, covering fresh fruits and vegetables in certain areas in the State of Pennsylvania, filed 1:43 p. m.

Erie Order 17, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:44 p. m.

Erie Order 18, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:44 p. m.

Philadelphia Order 9-F Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 1:43 p. m.

Philadelphia Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 1:43 p. m.

Williamsport Order 4-W, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:45 p. m.

Williamsport Order 5-W, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:47 p. m.

Williamsport Order 16, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:48 p. m.

Williamsport Order 17, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:47 p. m.

Williamsport Order 18, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:45 p. m.

Williamsport Order 19, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:47 p. m.

Williamsport Order 20, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 1:47 p. m.

#### REGION III

Cleveland Order F-1, Amendment 21, covering fresh fruits and vegetables in Cuyahoga County in Ohio, filed 1:52 p. m.

Cleveland Order F-4, Amendment 20, covering fresh fruits and vegetables in Stark and Summit Counties in Ohio, filed 1:53 p. m.

Cleveland Order F-5, Amendment 8, covering fresh fruits and vegetables in Stark, Trumbull and Summit Counties in Ohio, filed 1:53 p. m.

#### REGION IV

Memphis Order 6-F, Amendment 12, covering fresh fruits and vegetables in the city of Memphis and County of Shelby, Tenn., filed 1:36 p. m.

Memphis Order 23, Amendment 1, covering poultry in the city of Memphis and the county of Shelby, Tenn., filed 1:37 p. m.

Memphis Order 23, Amendment 2, covering poultry in certain counties in the State of Tennessee, filed 1:36 p. m.

Raleigh Order 1-O, Amendment 1, covering eggs in certain counties in the State of North Carolina, filed 1:48 p. m.

Raleigh Order 2-O, Amendment 1, covering eggs in certain counties in the State of North Carolina, filed 1:49 p. m.

Raleigh Order 3-O, Amendment 1, covering eggs in certain counties in the State of North Carolina, filed 1:49 p. m.

Raleigh Order 4-O, Amendment 1, covering eggs in certain counties in the State of North Carolina, filed 1:49 p. m.

Raleigh Order 10-F, Amendment 6, covering fresh fruits and vegetables in certain counties in North Carolina, filed 1:52 p. m.

Raleigh Order 10-F, Amendment 7, covering fresh fruits and vegetables in certain counties in North Carolina, filed 1:50 p. m.

Raleigh Order 11-F, Amendment 6, covering fresh fruits and vegetables in certain counties in North Carolina, filed 1:52 p. m.

Raleigh Order 11-F, Amendment 7, covering fresh fruits and vegetables in certain counties in the State of North Carolina, filed 1:50 p. m.

#### REGION V

Arkansas Order 4-W, covering dry groceries in the Arkansas Area, filed 1:35 p. m.

Arkansas Order 23, covering dry groceries in certain counties in the State of Arkansas, filed 1:42 p. m.

Arkansas Order 24, covering dry groceries in certain counties in the State of Arkansas, filed 1:35 p. m.

Fort Worth Order 1-C, Amendment 2, covering certain food items in the Fort Worth, Tex., Area, filed 1:38 p. m.

Fort Worth Order 1-F, Amendment 51, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 1:40 p. m.

Arkansas Order 2-F, Amendment 40, covering fresh fruits and vegetables in Pulaski County, Ark., filed 1:41 p. m.

Fort Worth Order 2-F, Amendment 51, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 1:39 p. m.

Fort Worth Order 3-F, Amendment 51, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 1:39 p. m.

Arkansas Order 4-F, Amendment 35, covering fresh fruits and vegetables in the Arkansas area, filed 1:41 p. m.

Fort Worth Order 4-F, Amendment 51, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 1:39 p. m.

Fort Worth Order 5-F, Amendment 51, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 1:39 p. m.

Fort Worth Order 6-F, Amendment 12, covering fresh fruits and vegetables in the Fort Worth, Tex., area, filed 1:39 p. m.

Tulsa Order 1-C, Amendment 1, covering poultry in the Tulsa area, filed 1:41 p. m.

Tulsa Order 7-F, Amendment 1, covering fresh fruits and vegetables in the Tulsa area, filed 1:40 p. m.

Tulsa Order 8-F, Amendment 2, covering fresh fruits and vegetables in the Tulsa area, filed 1:40 p. m.

#### REGION VI

Green Bay Order 9, Amendment 12, covering poultry in certain counties in the State of Wisconsin, filed 2:19 p. m.

Green Bay Order 12, Amendment 11, covering poultry in certain counties in the State of Wisconsin, filed 2:23 p. m.

Milwaukee Order 2-F, Amendment 50, covering fresh fruits and vegetables in Dane County, Wis., filed 2:16 p. m.

Milwaukee Order 5-F, Amendment 49, covering fresh fruits and vegetables in Sheboygan and Fond du Lac Counties, filed 2:16 p. m.

Omaha Order 5-W, Amendment 1, covering dry groceries in the Omaha, Nebraska and Council Bluffs, Iowa areas, filed 1:37 p. m.

Omaha Order 6-W, Amendment 1, covering dry groceries in the Lincoln, Nebr., area, filed 2:25 p. m.

Omaha Order 7-F, Amendment 29, covering fresh fruits and vegetables in certain areas in Nebraska and Iowa, filed 2:24 p. m.

Omaha Order 7-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Nebraska and Iowa, filed 2:24 p. m.

Omaha Order 8-F, Amendment 28, covering fresh fruits and vegetables in Lincoln, Nebr., filed 2:24 p. m.

Omaha Order 8-F, Amendment 29, covering fresh fruits and vegetables in Lincoln, Nebr., filed 2:24 p. m.

Omaha Order 20, Amendment 1, covering dry groceries in Omaha, Nebraska and Council Bluffs, Iowa, filed 1:38 p. m.

Omaha Order 21, Amendment 1, covering dry groceries in Lancaster County, Nebr., filed 1:38 p. m.

Omaha Order 24, covering dry groceries in certain counties in the states of Nebraska and Iowa, filed 1:37 p. m.

Quad-Cities Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Illinois and Iowa, filed 1:55 p. m.

Quad-Cities Order 3-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Illinois and Iowa, filed 1:55 p. m.

Sioux City Order 19, covering dry groceries in certain counties in the States of Iowa, Nebraska, and South Dakota, filed 2:15 p. m.

Sioux Falls Order 3-F, covering fresh fruits and vegetables in certain counties in Iowa, South Dakota and Minnesota, filed 1:54 p. m.

Sioux Falls Order 4-F, covering fresh fruits and vegetables in certain counties in South Dakota, filed 1:54 p. m.

Springfield Order 1-FS, Amendment 21, covering fresh fruits and vegetables in Sangamon County, Ill., filed 1:55 p. m.

Springfield Order 3-FS, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Illinois, filed 1:55 p. m.

Twin Cities Order 1-F, Amendment 9, covering fresh fruits and vegetables in St. Paul and Minneapolis, filed 2:17 p. m.

Twin Cities Order 2-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Minnesota and Wisconsin, filed 2:19 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[P. R. Doc. 45-1045; Filed, Jan. 16, 1945; 4:41 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 16, 1945.

#### REGION IV

Atlanta Order 4-W, covering dry groceries in the Atlanta Area, filed 9:53 a. m.

Atlanta Order 22, covering certain food items in certain counties in the States of Georgia and Alabama, filed 9:53 a. m.

Atlanta Order 23, covering certain food items in certain counties in the States of Georgia and Alabama, filed 9:52 a. m.

Birmingham Order 1-O, covering community food prices in the Birmingham Area, filed 9:30 a. m.

Birmingham Order 2-O, covering community food prices in the Birmingham Area, filed 9:30 a. m.

Birmingham Order 3-O, covering community food prices in the Birmingham Area, filed 9:30 a. m.

Charlotte Order 2-C, covering poultry in the Charlotte Area, filed 9:35 a. m.

Charlotte Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain counties in the North Carolina Area, filed 9:34 a. m.

Jackson Order 4-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:51 a. m.

Jacksonville Order 8-F, Amendment 8, covering fresh fruits and vegetables in the Jacksonville, Florida, area, filed 9:35 a. m.

Jacksonville Order 10-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Florida, filed 9:50 a. m.

Jacksonville Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Florida, filed 9:31 a. m.

Jacksonville Order 12-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Florida, filed 9:31 a. m.

Memphis Order 8-W, covering dry groceries in certain counties in the State of Tennessee, filed 9:51 a. m.

Memphis Order 22, covering community food prices in the Memphis Area, filed 9:51 a. m.

Memphis Order 22, Amendment 1, covering poultry in the city of Memphis and the County of Shelby, Tenn., filed 9:50 a. m.

Memphis Order 22, Amendment 2, covering poultry in certain counties in the State of Tennessee, filed 9:50 a. m.

Memphis Order 23, covering community food prices in the Memphis Area, filed 9:50 a. m.

Montgomery Order 20-F, Amendment 8, covering fresh fruits and vegetables in Mobile County, Ala., filed 9:28 a. m.

Montgomery Order 21-F, Amendment 11, covering fresh fruits and vegetables in Montgomery County, Ala., filed 9:28 a. m.

Montgomery Order 22-F, Amendment 12, covering fresh fruits and vegetables in Houston County, Ala., filed 9:29 a. m.

Roanoke Order 4-W covering dry groceries in the Roanoke, Virginia Area, filed 9:52 a. m.  
 Roanoke Order 4-W, Amendment 1, covering dry groceries in the Roanoke, Va., Area, filed 9:53 a. m.

Roanoke Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain cities in Virginia, filed 9:52 a. m.

Roanoke Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:52 a. m.

Savannah Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:34 a. m.

Savannah Order 9-F, Amendment 11, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:33 a. m.

Savannah Order 10-F, Amendment 11, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:33 a. m.

Savannah Order 12-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:33 a. m.

#### REGION V

Dallas Order 1-F Amendment 46, covering fresh fruits and vegetables in the Dallas, Tex., Area, filed 9:28 a. m.

Dallas Order 2-F Amendment 16, covering fresh fruits and vegetables in the Dallas, Tex., Area, filed 9:28 a. m.

#### REGION VI

Sioux Falls Order 2-F, covering fresh fruits and vegetables in certain counties in the State of South Dakota, filed 9:31 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
*Secretary.*

[F. R. Doc. 45-1098; Filed, Jan. 17, 1945; 11:47 a. m.]

### SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-908]

#### CITIES SERVICE POWER & LIGHT CO.

#### ORDER EXTENDING TIME WITHIN WHICH TRANSACTIONS SHALL BE CONSUMMATED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of January, A. D. 1945.

The Commission having on August 1, 1944 issued its order authorizing the sale by Cities Service Power & Light Company of its entire interest in its subsidiary, City Light & Traction Company, to Missouri Public Service Corporation, said order being subject to the provisions of Rule U-24 requiring that proposed transactions shall be consummated within 60 days after the order of the Commission permitting a declaration to become effective or granting an application; and

Upon the request of Cities Service Power & Light Company, the Commission having on the 29th day of September, 1944 issued its order extending the time within which such proposed transactions should be consummated until January 15, 1945;

Cities Service Power & Light Company having now requested that the time with-

in which said transactions shall be consummated be further extended until February 15, 1945 in order that the purchaser (which is not a registered holding company or subsidiary thereof) may obtain authorizations from other regulatory agencies; and

The Commission finding that granting of such extension would not be detrimental to the public interest or to the interest of investors or consumers;

It is ordered, That the time within which the proposed transactions as set forth in our opinion and order in this matter dated August 1, 1944 shall be consummated, be and hereby is extended until February 15, 1945.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
*Secretary.*

[F. R. Doc. 45-1054; Filed, Jan. 17, 1945; 9:31 a. m.]

### WAR MANPOWER COMMISSION.

#### ARKANSAS AREA

#### EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Arkansas War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F. R. 11338)

#### Sec.

1. Purpose of the program.
2. Definitions.
3. Authority and responsibility of Area Management-Labor Committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

**SECTION 1. Purpose of the program.** The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) The elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

**Sec. 2. Definitions.** As used in this employment stabilization program:

(a) "The Arkansas area" means the area comprising the State of Arkansas.

(b) "The Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri, and Oklahoma.

(c) "The Area Manpower Director" means the Area Manpower Director of the War Manpower Commission for the Arkansas area.

(d) "The Area Management-Labor War Manpower Committee" means the Management-Labor Committee appointed by the Regional Manpower Director for the Arkansas area.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (A list of essential employers will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(f) "An essential employer" means an employer whose establishment is engaged in an essential activity. In addition to the requirement that the activities of an establishment must be included in the War Manpower Commission List of Essential Activities, it must meet one or more of the following criteria: The establishment must be:

(1) Fulfilling a contract of the Army, Navy, Maritime Commission, or other Government Agency directly engaged in the war effort;

(2) Performing governmental services directly concerned with promoting or facilitating war production;

(3) Performing a service, governmental or private, directly concerned with the maintenance of indispensable civilian activities, health, safety, welfare, or security;

(4) Supplying material under subcontracts for contracts included in (1), (2), or (3) above;

(5) Producing raw materials, manufacturing materials, supplies or equipment or performing services necessary for the fulfillment of contracts (including necessary clothing and other supplies required by workers employed on these contracts) included in (1), (2), (3), or (4) above.

(g) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (A list of critical occupations so designated on the date of the approval of this program is attached hereto as Appendix A.)

(h) "Locally controlled occupation" means any local shortage occupation designated by the Area Director after consultation with the Area Committee and approved by the Regional Director. (A list of locally controlled occupations for the Arkansas area is attached hereto as Appendix B.)

(i) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(j) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental

<sup>1</sup> Not filed with the Division of the Federal Register.

to the employee's principal work shall be disregarded.

(k) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(l) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(m) The term "locality" as used in section 6 (e) (3) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(n) "State" includes Alaska, Hawaii, and the District of Columbia.

(o) The term "employer" includes all employers regardless of whether or not they are engaged in an essential activity.

(p) "Solicit" means any activity including any written or oral communication or publication designed or intended to induce any individual or individuals to accept employment.

(q) A "statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is available for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix C.)

**Sec. 3. Authority and responsibility of Area Management-Labor Committee.** The Area Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

**Sec. 4. Encouragement of local initiative and use of existing hiring channels.** To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

(a) **Federal employment.** All employment within the Arkansas area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance

with applicable War Manpower Commission policies, procedures, and standards. Prior clearance of the United States Employment Service must be obtained before critical or locally controlled workers so recruited can be referred to the appointing agencies.

(b) **Railroad employment.** All hiring within the Arkansas area by employers covered by the Railroad Unemployment Insurance Act shall be made only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures, and standards.

(c) **Inland waterway employment.** All hiring within the Arkansas area for inland waterway transportation shall be made only with the approval of the Recruitment and Manning Organization of the War Shipping Administration. That agency shall conduct its recruiting of inland waterway personnel in accordance with applicable War Manpower Commission policies, procedures and standards.

**Sec. 5. Collective bargaining agreements.** Nothing in this employment stabilization program shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

**Sec. 6. Control of hiring and solicitation of workers.** All hiring and solicitation of workers in, or for work in, the Arkansas area shall be conducted in accordance with the provisions of this section.

(a) **General.** A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) **Issuance of statements of availability by employers.** An individual whose last employment is or was in an essential or locally needed activity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Individuals who receive statements of availability for any of the above reasons, whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) and 6 (e) (2)

(c) **Issuance of statements of availability by United States Employment Service.** (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(d) **Referral in case of under-utilization.** If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) **Workers who may be hired only upon referral by the United States Employment Service.** Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation,

(2) The new employee is to be hired for work in a locally controlled occupation as listed in Appendix B, or his statement of availability indicates that his last employment was in such an occupation.

<sup>1</sup> Not filed with the Division of the Federal Register.

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Pending action on statements of availability or referral.* Workers shall remain in their current position pending decisions on requests for statements of availability or referrals.

(g) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting individuals for work in a critical or locally controlled occupation without prior approval of the United States Employment Service is prohibited. All advertisements for individuals whose last employment was or is in an essential or locally needed activity shall indicate that individuals will not be considered for employment unless they present a statement of availability.

(h) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(i) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment or by the employer as to his present employment, and if such referral would not have been made except for such misrepresentation.

(j) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(k) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was

in a critical or locally controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix C.<sup>1</sup>

(l) *Retention of statements of availability by employers.* Any employer after having hired a new employee upon his presentation of a statement of availability, shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

SEC. 7. *Exclusions.* No provision of the employment stabilization program shall be applicable to

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States; except Alaska and Hawaii;

(d) The hiring by a foreign, State, County, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

SEC. 8. *Appeals.* Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or their case in accordance with regulations and procedures of the War Manpower Commission.

SEC. 9. *Conflict with Federal or State law.* If any provision of this plan is in conflict with the requirements of Regulation No. 7 of the War Manpower Commission or any Federal or State law, that provision will be deemed void.

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be

<sup>1</sup> Not filed with the Division of the Federal Register.

amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the uniform Employment Stabilization Program which became effective on July 1, 1943.

Dated: September 27, 1943.

FLOYD SHARP,  
Area Director

Approved: September 27, 1943.

Ed McDONALD,  
Regional Director

APPENDIX B—LIST OF LOCALLY CONTROLLED OCCUPATIONS IN THE REGION IX WAR MANPOWER COMMISSION AREA

Occupational title:	Occupational Code No.
Pharmacist .....	0-25.10
Aeronautical Draftsman .....	0-48.04
Electrical Draftsman .....	0-48.11
Mechanical Draftsman .....	0-48.18
X-Ray Technician .....	0-50.04
Chemist, Assistant .....	0-50.22
Optometrists .....	0-53.10
Radio Operator .....	0-61.30
Time and Motion Study Man .....	0-63.73
Millman (Woodworking) .....	4-33.014
Engine Lathe Operator .....	4-78.011
Turret Lathe Operator .....	4-78.021
Milling Machine Operator .....	4-78.031
Jig Boring Machine Operator .....	4-78.043
Shaper Operator I .....	4-78.051
Planer Operator II .....	4-78.071
Gear Shaper Operator I .....	4-78.134
Universal Grinder Operator .....	4-78.511
Internal Grinder Operator .....	4-78.512
Surface Grinder Operator .....	4-78.513
Sheet Metal Worker, Aircraft .....	4-80.050
Welder, Arc .....	4-85.020
Welder, Acetylene .....	4-85.030
Locomotive Engineer .....	5-41.010
Elec. Bridge Crane Operator .....	5-73.010
Automobile Mechanic .....	5-81.010
Auto Body Repairman .....	5-81.510
Maintenance Mechanic II .....	5-83.541
Tool Grinder Operator .....	5-84.110
Radial Drill Press Operator .....	6-78.082
Sandblaster I .....	6-82.720
Chipper, Foundry .....	6-82.910
Armature Winder I .....	6-99.011

[F. R. Doc. 45-1013; Filed, Jan. 16, 1945; 11:27 a. m.]

[Amdt. 1]

ARKANSAS AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Arkansas War Manpower Commission Area, dated September 27, 1943, is hereby amended as follows:

1. Section 2 (m), as amended, reads:

(m) The term "locality" as used in section 6 (e) (4) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

2. Section 4 (a), as amended, reads:

(a) *Federal employment.* All employment within the Arkansas area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United

States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards.

3. Section 6 (b) last paragraph, as amended, reads:

Individuals who receive statements of availability for any of the above reasons, who are male, or whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) 6 (e) (2) and 6 (e) (3)

4. Section 6 (e) as amended, includes the following as subparagraph (1):

(1) The new employee is male.

5. Subparagraphs (1) (2) (3) (4) of section 6 (e) in the original program are renumbered accordingly as (2) (3), (4), (5)

6. Section 6, as amended, includes an additional provision as (f) which is as follows:

(f) *Provision for employment ceilings.* The Area Manpower Director may fix for all or any establishments in the Arkansas area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

7. Paragraphs (f) (g) (h) (i) (j) (k) (l) under section 6 of the original program are renumbered accordingly as (g) (h) (i) (j) (k) (l), (m)

8. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Arkansas War Manpower Commission Area which became effective on September 27, 1943.

Dated: June 12, 1944.

FLOYD SHARP,  
Area Director

Approved: July 1, 1944.

ED McDONALD,  
Regional Director

[F. R. Doc. 45-1014; Filed, Jan. 16, 1945;  
11:28 a. m.]

No. 13—4

[Amdt. 2]

#### ARKANSAS AREA

#### EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Arkansas War Manpower Commission Area, dated September 27, 1943, is hereby amended as follows:

1. Section 2 (f), as amended, reads:

(f) "An essential employer" means an employer whose establishment is engaged in an essential activity.

2. Paragraphs (g) and (h) of section 2 have been deleted and paragraphs (i), (j), (k) (l) (m) (n) (o) (p) and (q) have been renumbered accordingly as (g) (h), (i), (j), (k) (l), (m), (n), and (o)

3. Section 2 (k), as amended, reads:

(k) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

4. Section 4 (c) has been deleted.

5. Section 6 (b) last paragraph, as amended reads:

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1)

6. Subparagraphs (2) and (3) of section 6 (e) have been deleted and subparagraphs (3) and (4) have been renumbered accordingly as subparagraphs (2) and (3)

7. Section 6 (g) as amended, reads:

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

8. Section 6 (h) as amended, reads:

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employment Service is prohibited. All advertisements for female workers whose last employment was or is in an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employment unless they present a referral card.

9. Section 6 (j) (2) as amended, reads:

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such re-

ferral would not have been made except for such misrepresentation.

10. Section 6 (l) as amended, reads:

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix A.

11. Section 10, as amended, reads:

SEC. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Employment Stabilization Program for the Arkansas War Manpower Commission Area which became effective on July 1, 1944.

Approved by the Regional Director, effective December 1, 1944.

12. Appendices A<sup>1</sup> and B have been deleted.

13. Appendix C<sup>1</sup> has been renumbered accordingly as Appendix A.

Dated: December 4, 1944.

DENTON O. RUSHING,  
Area Director.

Approved: December 5, 1944.

ED McDONALD,  
Regional Director

[F. R. Doc. 45-1015; Filed, Jan. 16, 1945;  
11:23 a. m.]

#### REGION IX

#### REGIONAL EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Region IX is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Authority and responsibility of Regional Manpower Committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

<sup>1</sup> Not filed with the Division of the Federal Register.

**SECTION 1. Purpose of the program.** The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) The elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

**Sec. 2. Definitions.** As used in this employment stabilization program:

(a) "The Region IX War Manpower Commission Area" means the area comprising the States of Arkansas, Kansas, Missouri, and Oklahoma except the following: (1) The Arkansas Manpower Area comprising the State of Arkansas; (2) the Wichita, Kansas, Manpower Area, comprising the counties of Sedgwick, Harvey, Marion, Butler, Cowley, Sumner, Kingman, Pratt, Barber, Harper, and Greenwood; (3) the Kansas City Manpower Area, comprising the counties of Clay, Platte, Ray, Jackson, Lafayette, and Cass in Missouri and Wyandotte and Johnson in Kansas; (4) the St. Louis, Missouri, Manpower Area, comprising the city of St. Louis and the counties of St. Louis, St. Charles, Franklin, Jefferson, Warren and Gasconade; (5) the Oklahoma City, Oklahoma, Manpower Area, comprising the counties of Canadian, Cleveland, Logan, Oklahoma, and Pottawatomie; (6) the Tulsa, Oklahoma, Manpower Area, comprising the counties of Creek (Sapulpa Township and City of Sapulpa only) Mayes, Osage (Black Dog Township only), Rogers, and Tulsa.

(b) The "Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri and Oklahoma.

(c) The "Regional Manpower Committee" means the Management-Labor Committee appointed by the Chairman of the War Manpower Commission to advise and consult with the Regional Director in regard to the manpower program in Region IX.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F. R. 3439). (A list of essential employers will be maintained in the local United States Employment Service offices of the War Manpower Commission.)

(e) An "essential employer" means an employer whose establishment is engaged in an essential activity.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(g) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For

the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(i) Agriculture means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(j) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(k) "State" includes Alaska, Hawaii, and the District of Columbia.

(l) The term "employer" includes all employers regardless of whether or not they are engaged in an essential activity.

(m) "Solicit" means any activity including any written or oral communication or publication designed or intended to induce any individual or individuals to accept employment.

(n) A "statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is available for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix A.<sup>1</sup>)

**Sec. 3. Authority and responsibility of Regional Manpower Committee.** The Regional Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Regional Manpower Director.

**Sec. 4. Encouragement of local initiative and use of existing hiring channels.** To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) **Federal employment.** All employment within the Region IX War Manpower Commission Area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and

<sup>1</sup> Filed as part of the original document.

make referrals in accordance with applicable War Manpower Commission policies, procedures and standards.

(b) **Railroad employment.** All hiring within the Region IX War Manpower Commission Area by employers covered by the Railroad Unemployment Insurance Act shall be made only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures and standards.

**Sec. 5. Collective bargaining agreements.** Nothing in this employment stabilization program shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

**Sec. 6. Control of hiring and solicitation of workers.** All hiring and solicitation of workers in, or for work in, the Region IX War Manpower Commission Area shall be conducted in accordance with the provisions of this section.

(a) **General.** A new employee, who during the preceding 60-day period has engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) **Issuance of statements of availability by employers.** An individual whose last employment is or was in an essential or locally needed activity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustments, and the employer has failed to adjust the

wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1).

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort. Where referral is granted for reasons set forth in this section, the United States Employment Service may grant, as a condition of transfer, maintenance of seniority rights with the original employer; it being understood that the employee shall not accumulate such seniority during the period of his absence from his original employment except where existing agreements provide for such special types of leave of absence.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service, when:

(1) The new employee is male.

(2) The new employee has not lived or worked in the locality at the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for nonagricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for nonagricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Provision for employment ceilings.* The Regional Manpower Director, after consultation with the Regional War Manpower Committee, may fix for all or any establishments in the region, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Regional Manpower Director, after consultation with the Regional Manpower Committee, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employment Service is prohibited. All advertisements for female workers whose last employment was or is in an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employment unless they present a referral card.

(i) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

(j) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service, release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such referral would not have been made except for such misrepresentation.

(k) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and

instructions of the War Manpower Commission.

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix A.

(m) *Retention of statements of availability by employers.* Any employer, after having hired a new employee upon his presentation of a statement of availability, shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

**Sec. 7. Exclusions.** No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

**Sec. 8. Appeals.** Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or their case in accordance with regulations and procedures of the War Manpower Commission.

**Sec. 9. Conflict with Federal or State law.** If any provision of this plan is in conflict with the requirements of Regulation No. 7 of the War Manpower Com-

mission or any Federal or State law, that provision will be deemed void.

**SEC. 10. Effective date and termination of program.** This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director and may be amended from time to time or terminated in accordance with regulations and procedures of the War Manpower Commission. This program when declared effective will supersede the Regional Employment Stabilization Program which became effective on July 1, 1944.

Approved by the Regional Manpower Director, effective December 15, 1944.

Dated: January 9, 1945.

ED McDONALD,  
Regional Director

[F. R. Doc. 45-1016; Filed, Jan. 16, 1945;  
11:29 a. m.]

#### ST. LOUIS, MO., AREA

##### EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the St. Louis War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338)

##### Sec.

1. Purpose of the program.
2. Definitions.
3. Authority and responsibility of Area Management-Labor Committee.
4. Encouragement of local initiative and use of existing hiring channels.
5. Collective bargaining agreements.
6. Control of hiring and solicitation of workers.
7. Exclusions.
8. Appeals.
9. Conflict with Federal or State law.
10. Effective date and termination of program.

**SECTION 1. Purpose of the program.** The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war: (a) The elimination of wasteful labor turnover in essential activities; (b) the reduction of unnecessary labor migration; (c) the direction of the flow of scarce labor where most needed in the war program; (d) the maximum utilization of manpower resources; and (e) the preservation of the necessary civilian economy.

**SEC. 2. Definitions.** As used in this employment stabilization program:

(a) The "St. Louis Area" means the area comprising the City of St. Louis and the following counties in the State of Missouri: Franklin, Gasconade, Jefferson, St. Charles, St. Louis, and Warren.

(b) The "Regional Manpower Director" means the Regional Manpower Director of the War Manpower Commission for Region IX, comprising the States of Arkansas, Kansas, Missouri and Oklahoma.

(c) The "Area Manpower Director" means the Area Manpower Director of the War Manpower Commission for the St. Louis area.

(d) The "Area Management-Labor War Manpower Committee" means the Management-Labor Committee appointed by the Regional Manpower Director for the St. Louis area.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439) (See Appendix A.<sup>1</sup>) Note: A list of essential employers will be maintained in the local United States Employment Service office of the War Manpower Commission.

(f) "An essential employer" means an employer whose establishment is engaged in an essential activity. In addition to the requirement that the activities of an establishment must be included in the War Manpower Commission List of Essential Activities, it must meet one or more of the following criteria. The establishment must be:

(1) Fulfilling a contract of the Army, Navy, Maritime Commission, or other Government agency directly engaged in the war effort;

(2) Performing governmental services directly concerned with promoting or facilitating war production;

(3) Performing a service, governmental or private, directly concerned with the maintenance of indispensable civilian activities, health, safety, welfare, or security;

(4) Supplying material under subcontracts for contracts included in (1) (2), or (3) above;

(5) Producing raw materials, manufacturing materials, supplies or equipment or performing services necessary for the fulfillment of contracts (including necessary clothing and other supplies required by workers employed on these contracts) included in (1) (2) (3) or (4) above.

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity. (A list of establishments declared locally needed will be maintained in the local United States Employment Service office of the War Manpower Commission.)

(h) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (A list of critical occupations so designated on the date of the approval of this program is attached hereto as Appendix B.<sup>1</sup>)

(i) "Locally controlled occupation" means an occupation in which manpower

shortages threaten critically needed production, so designated by the Area Director after consultation with the Area Committee and approved by the Regional Director. (A list of locally controlled occupations is attached hereto as Appendix C.)

(j) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(k) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(l) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(m) The term "locality" as used in section 6 (e) (3) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

(n) "State" includes Alaska, Hawaii, and the District of Columbia.

(o) The term "employer" includes all employers, regardless of whether or not they are engaged in an essential activity.

(p) "Solicit" means any activity including any written or oral communication or publication designed or intended to induce any individual or individuals to accept employment.

(q) "A statement of availability" is a form issued to an individual by his last employer or by the United States Employment Service stating that he is available for work in an essential or locally needed activity in accordance with the terms of this program. (Appendix D.<sup>1</sup>)

**SEC. 3. Authority and responsibility of Area Management-Labor Committee.** The Area Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

**SEC. 4. Encouragement of local initiative and use of existing hiring channels.** To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use

<sup>1</sup> Filed as part of the original document.

made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(a) *Federal employment.* All employment within the St. Louis area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission, which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures and standards. Prior clearance of the United States Employment Service must be obtained before critical or locally controlled workers so recruited can be referred to the appointing agencies.

(b) *Railroad employment.* All hiring within the St. Louis area by employers covered by the Railroad Unemployment Insurance Act shall be made only with the approval of the Railroad Retirement Board's Employment Service. That agency shall conduct its recruiting of railroad labor in accordance with applicable War Manpower Commission policies, procedures and standards.

(c) *Inland waterway employment.* All hiring within the St. Louis area for inland waterway transportation shall be made only with the approval of the Recruitment and Manning Organization of the War Shipping Administration. That Agency shall conduct its recruiting of inland waterway personnel in accordance with applicable War Manpower Commission policies, procedures and standards.

SEC. 5. *Collective bargaining agreement.* Nothing in this employment stabilization program shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement, or to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him at any step in the operation of this program.

SEC. 6. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the St. Louis area shall be conducted in accordance with the provisions of this section.

(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United

States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive promptly a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal laws or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Individuals who receive statements of availability for any of the above reasons, whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) and 6 (e) (2).

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with this program, or any War Manpower Commission regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee

may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee is to be hired for work in a locally controlled occupation or his statement of availability indicates that his last employment was in such an occupation.

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Pending action on statements of availability or referral.* Workers shall remain in their current position pending decisions on requests for statements of availability or referrals.

(g) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting individuals for work in a critical or locally controlled occupation without prior approval of the United States Employment Service is prohibited. All advertisements for individuals whose last employment was or is in an essential or locally needed activity shall indicate that individuals will not be considered for employment unless they present a statement of availability.

(h) *Discriminatory hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for, the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(i) *Hiring or leaving employment contrary to this program.* Any employer shall, upon written request of the United States Employment Service release from employment:

(1) Any worker who has been hired (after the effective date of this program) contrary to the provisions of this program.

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment or by the employer as to his present employment, and if such referral would not have been made except for such misrepresentation.

(j) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

(k) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical or locally controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix D.

(l) *Retention of statements of availability by employers.* Any employer after having hired a new employee upon his presentation of a statement of availability shall retain and file it and shall make it available for inspection upon request of authorized representatives of the War Manpower Commission.

**SEC. 7. Exclusions.** No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States; except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government; or their political subdivisions, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with this program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of employees of public and private educational institutions and such other employees as may be specified by the War Manpower Commission for off-season employment or the rehiring of such employees at the termination of the off-season period.

**SEC. 8. Appeals.** Any worker or employer or group of workers or employers dissatisfied with any act or failure to act in accordance with this program will be given a fair opportunity to appeal his or

their case in accordance with regulations and procedures of the War Manpower Commission.

**SEC. 9. Conflict with Federal or State law.** If any provision of this plan is in conflict with the requirements of Regulation No. 7 of the War Manpower Commission or any Federal or State law, that provision will be deemed void.

**SEC. 10. Effective date and termination of program.** This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director. It may be amended or terminated by the Regional Director to conform with changes in regulations, policies or procedures; or by the Regional Director upon recommendation of the Area Committee. This program when declared effective will supersede the St. Louis area employment stabilization program which became effective on March 24, 1943.

Dated: September 23, 1943.

T. L. GAUKEL,  
Area Director

Approved: September 23, 1943.

Ed McDONALD,  
Regional Director.

**APPENDIX C—LIST OF LOCALLY CONTROLLED OCCUPATIONS IN ST. LOUIS AREA**

Occupational Title:	Occupational Code No.
Aeronautical Draftsman.....	0-48.04
Armature Winder I.....	6-99.011
Auto Body Repairman.....	5-81.510
Automobile Mechanic.....	5-81.010
Chemist, Assistant.....	0-50.22
Chipper, Foundry.....	6-62.910
Electrical Bridge Crane Operator.....	5-73.010
Electrical Draftsman.....	0-48.11
Engine Lathe Operator.....	4-78.011
Gear Shaper Operator I.....	4-78.134
Internal Grinder Operator.....	4-78.512
Jig Boring Machine Operator.....	4-78.043
Jig Builder, Aircraft.....	5-17.060
Maintenance Mechanic II.....	5-83.641
Mechanical Draftsman.....	0-48.18
Milling Machine Operator.....	4-78.031
Millman (Woodworking).....	4-33.914
Optometrist.....	0-53.10
Pharmacist.....	0-25.10
Planer Operator II.....	4-78.071
Radial Drill Press Operator.....	6-78.082
Sandblaster I.....	6-82.720
Shaper Operator I.....	4-78.061
Sheet Metal Worker, Aircraft.....	4-80.050
Surface Grinder Operator.....	4-78.513
Tool Grinder Operator.....	5-84.110
Turret Lathe Operator.....	4-78.021
Universal Grinder Operator.....	4-78.511
Welder, Arc.....	4-85.020
Welder, Acetylene.....	4-85.030
X-Ray Technician.....	0-50.04

[F. R. Doc. 45-1010; Filed, Jan. 18, 1945; 11:26 a. m.]

[Amdt. 1]

ST. LOUIS, MO., AREA

**EMPLOYMENT STABILIZATION PROGRAM**

The employment stabilization program for the St. Louis War Manpower Commission Area, dated September 23, 1943, is hereby amended as follows:

1. Section 2 (m), as amended, reads:

(m) The term "locality" as used in section 6 (e) (4) of this program means

an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

2. Section 4 (a), as amended, reads:

(a) *Federal employment.* All employment within the St. Louis area by departments and agencies of the Federal Government which are subject to the rules and regulations of the United States Civil Service Commission shall be made only with the approval of the United States Civil Service Commission which shall conduct its recruiting activities and make referrals in accordance with applicable War Manpower Commission policies, procedures, and standards.

3. Section 6 (b), last paragraph, as amended, reads:

Individuals who receive statements of availability for any of the above reasons, who is a male, or whose employment was in a critical or locally controlled occupation, shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1) 6 (e) (2), and 6 (e) (3)

4. Section 6 (e) as amended, includes the following as subparagraph (1)

(1) The new employee is male.

5. Paragraphs (1), (2) (3), (4) of section 6 (e) in the original program are renumbered accordingly as (2), (3), (4), (5)

6. Section 6, as amended, includes an additional provision as (f) which is as follows:

(f) *Provision for employment ceilings.* The Area Manpower Director may fix for all or any establishments in the St. Louis area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

7. Paragraphs (f) (g), (h), (i), (j), (k) (l) under section 6 of the original program are renumbered accordingly (g) (h), (i) (j) (k), (l), (m)

8. Section 10, as amended, reads:

**SEC. 10. Effective date and termination of program.** This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director. It may be amended or terminated by the Regional Director to conform with changes in regulations, policies or procedures; or by the Regional Director upon recommendation of the Area Committee. This program when declared effective will supersede the employment

stabilization program for the St. Louis War Manpower Commission Area which became effective on September 23, 1943.

Dated: June 30, 1944.

T. L. GAUKEL,  
Area Director

Approved: July 1, 1944.

ED. McDONALD,  
Regional Director

[F. R. Doc. 45-1011; Filed, Jan. 16, 1945;  
11:27 a. m.]

[Amdt. 2]

St. Louis, Mo., AREA

#### EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the St. Louis War Manpower Commission Area, dated September 23, 1943, is hereby amended as follows:

1. Section 2 (f) as amended, reads:

(f) "An essential employer" means an employer whose establishment is engaged in an essential activity.

2. Paragraphs (g) and (h) of section 2 have been deleted and paragraphs (i) (j) (k) (l) (m) (n) (o) (p) and (q) have been renumbered accordingly as (g) (h) (i) (j) (k) (l) (m) (n) and (o)

3. Section 2 (k) as amended, reads:

(k) The term "locality" as used in section 6 (e) (2) of this program means an area the boundaries of which are defined as extending to a reasonable commuting distance from the major center of industrial activity.

4. Section 4 (c) has been deleted.

5. Section 6 (b) last paragraph, as amended, reads:

Male workers who receive statements of availability for any of the above reasons shall register immediately with the United States Employment Service for referral in accordance with section 6 (e) (1)

6. Subparagraphs (2) and (3) of section 6 (e) have been deleted. Subparagraphs (3) and (4) have been renumbered accordingly as (2) and (3)

7. Section 6 (g) as amended, reads:

(g) *Pending action on statements of availability or referral.* Workers are requested to remain in their current position pending decisions on requests for statements of availability or referrals.

8. Section 6 (h) as amended, reads:

(h) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions. Soliciting male workers without prior approval of the United States Employ-

No. 13—5

ment Service is prohibited. All advertisements for female workers whose last employment was or is an essential or locally needed activity shall indicate that such individuals will not be considered for employment unless they present a statement of availability. All advertisements for male workers shall indicate that such workers will not be considered for employment unless they present a referral card.

9. Section 6 (j) (2), as amended, reads:

(2) Any worker who has been hired upon referral of such worker by the United States Employment Service, if such referral was made as a result of misrepresentation by such worker as to his previous employment and if such referral would not have been made except for such misrepresentation.

10. Section 6 (l), as amended, reads:

(l) *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability shall conform to the form attached hereto as Appendix A.

Section 10, as amended, reads:

Sec. 10. *Effective date and termination of program.* This program shall become effective immediately upon the publication of notice of its approval by the Regional Manpower Director. It may be amended or terminated by the Regional Director to conform with changes in regulations, policies or procedures; or by the Regional Director upon recommendation of the Area Committee. This program when declared effective will supersede the Employment Stabilization Program for the St. Louis War Manpower Commission Area which became effective on July 1, 1944.

Approved by the Regional Manpower Director, effective December 1, 1944.

12. Appendices A,<sup>1</sup> B,<sup>1</sup> and C have been deleted.

13. Appendix D<sup>1</sup> has been renumbered accordingly as Appendix A.

Dated: November 30, 1944.

T. L. GAUKEL,  
Area Director

Approved: December 1, 1944.

ED. McDONALD,  
Regional Director.

[F. R. Doc. 45-1012; Filed, Jan. 16, 1945;  
11:27 a. m.]

<sup>1</sup>Not published in FEDERAL REGISTER.

#### WAR PRODUCTION BOARD.

[C-246]

SHEETS ELEVATOR CO.

#### CONSENT ORDER

The Sheets Elevator Company, an Ohio corporation with offices at 201 Nebraska Avenue, Toledo, Ohio, is a manufacturer and mixer of poultry, dairy and stock feeds. The company is charged with having, during the period January 1, 1942, through June 30, 1944, accepted, while a Class 2 purchaser, deliveries of molasses in excess of its calendar quarterly quota, in violation of War Production Board Conservation Order M-54. The Sheets Elevator Company admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Sheets Elevator Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) The Sheets Elevator Company, its successors or assigns, shall not, during the period of this order, accept deliveries of molasses as defined in War Production Board Conservation Order M-54.

(b) Nothing contained in this order shall be deemed to relieve The Sheets Elevator Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on date of issuance, and shall expire on July 1, 1945.

Issued this 16th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1639; Filed, Jan. 16, 1945;  
4:01 p. m.]

[C-247]

TRAINOR BROTHERS, INC.

#### CONSENT ORDER

Trainor Brothers, Inc., a Michigan corporation with principal offices at 11110 East Warren Avenue, Detroit, Michigan, is engaged in business as a caterer and concessionaire, and as such purchases and uses hot-drink cups. The company is charged by the War Production Board with having used, during the five-month period ending October 23, 1944, 18,390 hot-drink cups in excess of its quota, in violation of War Production Board Limitation Order L-336. Trainor Brothers, Inc., admits the violation as charged, does not desire to contest the charges as made, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Trainor Brothers, Inc., the Re-

gional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Trainor Brothers, Inc., shall, for a period of eight months from the effective date of this order, use at least 18,390 hot-drunk cups less than its quota as authorized by any order, regulation or authorization of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Trainor Brothers, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Trainor Brothers, Inc., its successors or assigns, or persons acting on its behalf. Prohibition against the taking of any action includes the taking indirectly as well as directly of any such action.

(d) This order shall take effect on January 1, 1945, and shall expire on August 31, 1945.

Issued this 16th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1040; Filed, Jan. 16, 1945;  
4:04 p. m.]

[C-248]

WALTER VANLANDINGHAM AND WALTER VANLANDINGHAM, INC.

#### CONSENT ORDER

Walter Vanlandingham is a lumber broker and wholesaler, doing business at 400 West Madison Street, Chicago, Illinois. He is also the owner and holder of all of the issued and outstanding capital stock of Walter Vanlandingham, Inc., a corporation. Walter Vanlandingham and the corporation are charged with having placed orders for and accepted delivery of 2,234,397 board feet of lumber through the unauthorized application or extension of preference ratings during the period between April 1, and October 15, 1943. At the time these orders were placed with their suppliers neither Walter Vanlandingham nor the corporation, had received any preference ratings from their customers, and therefore they were not entitled to apply or extend such preference ratings for the purchase of the above amounts of lumber. In so doing the War Production Board alleges that Walter Vanlandingham and Walter Vanlandingham, Inc. obtained this lumber by means of material and wilful, false or misleading statements which subjected them to administrative action under the provisions of Priorities Regulation No. 1.

Walter Vanlandingham and the corporation admit the foregoing violations, but deny that they were wilful and do not care to contest the issue of wilfulness and have consented to the issuance of this order.

Wherefore, upon the agreement of Walter Vanlandingham, and Walter Vanlandingham, Inc., and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Walter Vanlandingham nor Walter Vanlandingham, Inc., shall during the period of this order apply or extend any preference ratings to obtain the delivery of any lumber for any purpose.

(b) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of lumber for resale purposes or for any other purposes, to Walter Vanlandingham or to Walter Vanlandingham, Inc., are void and shall not be given any effect by suppliers of Walter Vanlandingham and of Walter Vanlandingham, Inc. This does not apply, however, to lumber already delivered or in transit for delivery either to him or to the corporation on the effective date of this order.

(c) Neither Walter Vanlandingham nor Walter Vanlandingham, Inc. shall during the period of this order, receive or accept delivery of any lumber for resale purposes, or for any other purposes; *Provided, however* That this provision shall not apply to the receipt or acceptance of delivery of lumber which at the time of such receipt or delivery is not restricted by any order or regulation of the War Production Board, and it shall also not apply to lumber in transit for delivery to Walter Vanlandingham or to Walter Vanlandingham, Inc., on the effective date of this order.

(d) The restrictions and prohibitions contained herein shall apply to Walter Vanlandingham, individually, and to Walter Vanlandingham, Inc., a corporation, his and its successors and assigns or persons acting in his or its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Walter Vanlandingham and Walter Vanlandingham, Inc. his and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on the date of issuance, and shall expire on the 11th day of March 1945.

Issued this 16th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1041; Filed, Jan. 16, 1945;  
4:04 p. m.]

## WAR SHIPPING ADMINISTRATION.

### "TUNA CLIPPER"

#### DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress)

Whereas on July 22, 1942, title to the vessel "Tuna Clipper" (29D814) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 8, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: January 15, 1945.

E. S. LAND,  
Administrator

[F. R. Doc. 45-1057; Filed, Jan. 17, 1945;  
10:23 a. m.]